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SIXTH REPORT  
OF THE  
**BUREAU OF ARCHIVES**  
FOR THE  
**PROVINCE OF ONTARIO**

BY

ALEXANDER FRASER  
Provincial Archivist

1909

PRINTED BY ORDER OF  
THE LEGISLATIVE ASSEMBLY OF ONTARIO



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*To His Honour JOHN MORISON GIBSON, ESQUIRE, K.C., LL.D., &c.,  
Lieutenant-Governor of the Province of Ontario.*

MAY IT PLEASE YOUR HONOUR:

I have the pleasure to present herewith for the consideration of Your Honour  
the Report of the Bureau of Archives of Ontario for 1909.

Respectfully submitted,

ARTHUR J. MATHESON,

*Provincial Treasurer.*

TORONTO, 1910.







*The Honourable* ARTHUR JAMES MATHESON, ESQUIRE, K.C., M.P.P.,  
&c., *Treasurer of Ontario.*

Sir,—I have the honour to submit to you the following Report in connection  
with the Bureau of Archives for the Province of Ontario.

I have the honour to be, Sir,

Your obedient servant,

ALEXANDER FRASER,

*Provincial Archivist.*

Toronto, 31st December, 1909.





## CONTENTS.

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	PAGE.
Letter of Transmission .....	v
Prefatory .....	ix
Journals of Upper Canada :	
House of Assembly, 1792 .....	1
"        "    1793 .....	21
"        "    1794 .....	47
"        "    1798 .....	55
"        "    1799 .....	97
"        "    1800 .....	127
"        "    1801 .....	171
"        "    1802 .....	249
"        "    1803 .....	321
"        "    1804 .....	411



"By thee I might correct, erroneous oft, the clock of  
history—facts and events timing more punctual, unre-  
corded facts recovering, and mis-stated, setting right."

—Cowper.

EX REBUS ANTIQUIS ERUDITIS ORIATUR.

# Report

of the

## Ontario Bureau of Archives

### PREFATORY

The large number of United Empire Loyalists that settled in Upper Canada during the years immediately succeeding the close of the Revolutionary War in 1783 developed conditions to meet which the Province of Quebec was in 1791 divided into the provinces of Upper and Lower Canada. The Imperial Statute making the division is known as the Constitutional Act, 31 George III., Cap. 31.

The form of government for these Provinces was moulded on that of Britain:— A Governor-General, and for each Province a Lieutenant-Governor, an Executive Council, a Legislative Council and a Legislative Assembly, corresponding, generally, to the Crown, the Cabinet of Ministers, the House of Lords, and the House of Commons. The Lieutenant-Governor was vested with the powers of the Governor-General except when the latter was present in the Province in his official capacity, and he practically directed the policy of the Government through the Executive Council; yet from the beginning the functions of the various branches forming the Provincial Parliament were fairly well defined and carried in them the seed of representative government.

The first Lieutenant-Governor of Upper Canada was Lieut.-Colonel John Graves Simcoe. He arrived at Kingston on the 8th of July, 1792, and on the 16th of July issued a Proclamation\* dividing the Province into nineteen counties, from which sixteen members of the Legislative Assembly were to be elected by the people. The Legislative Council consisted of not fewer than seven members who, as well as the members of the Executive Council, were appointed by the Crown.

The General Election for the Legislative Assembly took place in August, 1792, and Parliament met on the 17th September at Newark. The constituencies had then a population which has been placed at about 25,000 souls.

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\*Ontario Archives, 1906, p. 176.



The Members of the First and Second Legislative Assemblies of Upper Canada are given by Mr. C. C. James as follows:—

Glengarry, 1st Riding .....	1792 to 1796	Hugh Macdonell
Glengarry, 1st Riding .....	1796 to 1800	Richard Wilkinson
Glengarry, 2nd Riding .....	1792 to 1796	John Macdonell (Speaker)
Glengarry, 2nd Riding .....	1796 to 1800	John Macdonell
Stormont .....	1792 to 1796	Jeremiah French
Stormont .....	1796 to 1800	Robert I. D. Gray
Dundas .....	1792 to ....	Alexander Campbell
Dundas .....	1796 to 1800	Thomas Fraser
Grenville .....	1792 to 1796	Ephraim Jones
Grenville .....	1796 to 1800	Edward Jessup
Leeds and Frontenac .....	1792 to 1796	John White
Leeds and Frontenac .....	1796 to 1800	Solomon Jones
Addington and Ontario .....	1792 to 1796	Joshua Booth
Addington and Ontario .....	1796 to 1798	Christopher Robinson
Addington and Ontario .....	1799 to 1800	William Fairfield
Prince Edward and Adolphustown.....	1792	Philip Dorland.*
Prince Edward and Adolphustown.....	1793 to 1796	Peter Vanalstine
Prince Edward and Adolphustown.....	1796 to 1800	David McGregor Rogers
Lennox, Hastings and Northumberland..	1792 to 1796	Hazelton Spencer
Lennox, Hastings and Northumberland..	1796 to 1800	Timothy Thompson
Durham, York and 1st Lincoln .....	1792 to 1796	Nathaniel Pettit
Durham, York and 1st Lincoln .....	1796 to 1800	Richard Beasley
2nd Lincoln .....	1792 to 1796	Benjamin Pawling
2nd Lincoln .....	1796 to 1800	David William Smith
3rd Lincoln .....	1792 to 1796	Isaac Swayzie
3rd Lincoln .....	1796 to 1800	Samuel Street
4th Lincoln and Norfolk .....	1792 to 1796	Parshall Terry
4th Lincoln and Norfolk .....	1796 to 1800	Benjamin Hardison
Suffolk and Essex .....	1792 to 1796	David William Smith
Suffolk and Essex .....	1796 to 1800	John Cornwall
Kent (two members) .....	1792 to 1796	William Macomb and Francis Baby
Kent (two members) .....	1796 to 1800	Thomas Smith and Thomas McKee

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\*Did not take his seat, and a new election was held.

The Seat of Government was at Newark, Upper Canada, (Niagara), and there the first Ontario Parliament held its sessions, five in number, within the four years of its full term. In 1797 and subsequent years Parliament met in York (Toronto), which had then become the capital of the Province.

The Record of the business transacted by the early Parliaments of Ontario is justly placed among the most important Archives of the Province. The Proceedings of Parliament are the Minute Book of the people, and it has been a matter of regret that those of Upper Canada have not hitherto been generally available to the growing class of students of our provincial history.

The Journals of those early sessions of the Legislature were regularly kept and there is evidence that they were ordered to be printed. That the printed copies had disappeared at an early date is also evident from the fact that no copies were known to be in existence in 1855 when the manuscript copies in London, England, were copied by Mr. Mayer for the Canadian Government. But there is a break in the set in London, the Journals for the Legislative Assembly for the years, 1794, 1795, 1796, and 1797, and also for the years 1809, 1813, and 1815 being amissing.

Various explanations have been offered to account for the disappearance of the missing volumes. It has been thought that copies were not sent from Canada to London in the usual course for these years; or that if they were sent the vessels carrying them may have been captured by French men-of-war. It is unlikely that so careful an officer as Lieutenant-Governor Simcoe would have neglected his duty in this respect; but if he had, or if the vessels had been captured by the enemy, in either case a request would have been made by the Imperial Minister for copies. There can be little doubt that all the Journals found their way to London and were inadvertently mislaid. The search for them under present-day facilities may yet bring them to light. Experience proves that though the chase for a public document may be a long one it ought rarely or never to be a hopeless one. Only a short time ago a valuable fragment of the Journals of the Legislative Assembly for 1794 was found among old papers in the Parliament Buildings by the Archivist, and while this note is being written part of the original eight-page Statutes of Upper Canada for 1792 has been found and deposited in the Archives. The originals of the missing Journals and the printed copies of them possessed by the Government were most likely destroyed when the Parliament Buildings at Toronto were burned by the United States forces in 1813. The copies possessed by officials and public men, of which there would, probably, be a considerable number, if, indeed, they were printed, as seems likely, have disappeared in the natural process of time, a fact which well illustrates the evanescent character of records—even the most important—unless proper methods are provided for their preservation after they have passed out of current official use.

The Journals here given were copied from the manuscript copies in the Parliamentary Library, Ottawa, and are designed as a first instalment of these papers. They cover the years 1792, 1793, partly 1794, 1798, 1799, 1800, 1801, 1802, 1803, and 1804—embracing the three first Parliaments of Upper Canada.

ALEXANDER FRASER,

PROVINCIAL ARCHIVIST.





# The Journals

OF THE

## LEGISLATIVE ASSEMBLY

OF

## Upper Canada

FOR THE YEARS

1792, 1793, 1794 (partly), 1798, 1799, 1800, 1801, 1802,  
1803, 1804

VOLUME ONE

Ontario Archives, 1909





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Journal and Proceedings  
OF THE  
HOUSE OF ASSEMBLY  
OF THE  
Province of Upper Canada  
1792

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Journal and Proceedings  
OF THE  
HOUSE OF ASSEMBLY

OF THE  
Province of Upper Canada,  
1792.

HOUSE OF ASSEMBLY,  
NEWARK, Monday 17th. September 1792.

The House being met, all the Members were severally sworn in by William Jarvis, Esquire, who acted by special Commission from His Excellency.

The House having proceeded to the election of their Speaker: John Macdonell Esquire, one of the members for the County of Glengarry, was unanimously elected to be the Speaker.

A message from His Excellency requiring the attendance of the House in the Council Chamber.

The House attended accordingly, and being returned Mr. Speaker reported that His Excellency was pleased to make the following speech to both Houses.

Honourable Gentlemen of the Legislative Council and Gentlemen of the House of Assembly:

I have summoned you together under the authority of an Act of Parliament of Great Britain passed in the last year, which has established the British Constitution and all the forms which secure and maintain it in this distant country.

The wisdom and beneficence of Our Most Gracious Sovereign and the British Parliament have been eminently proved, not only in imparting to us the same form of Government but in securing the benefit by the many provisions which guard this memorable Act so that the blessings of our invaluable Constitution thus protected and amplified, we hope will be extended to the remotest posterity.

The great and momentous Trusts and Duties which have been committed to the Representatives of this Province, in a degree infinitely beyond whatever till this period have distinguished any other Colony, have originated from the British Nation upon a just consideration of the energy and hazard with which the inhabitants have so conspicuously supported and defended the British Constitution.

It is from the same Patriotism now called upon to exercise, with due deliberation and foresight, the various offices of the Civil Administration that your fellow subjects of the British Empire expect the foundation of Union, of Industry and Wealth, of Commerce and Power, which may last through all succeeding ages.



The natural advantages of the Province of Upper Canada are inferior to none on this side of the Atlantic; there can be no separate interest through its whole extent; the British form of Government has prepared the way for its speedy colonization and I trust that your fostering care will improve the favourable situation, and that a numerous and Agricultural people will speedily take possession of a soil and climate which, under the British Laws and the munificence with which His Majesty has granted the lands of the Crown, offer such manifest and peculiar encouragements.

The House adjourned till 10 o'clock to-morrow morning.

---

*Tuesday 18th. September 1792.*

On motion and seconded,

Ordered that Mr. White and Mr. Jones wait upon His Excellency to know when he will be pleased to receive the House that the Speaker may be presented for his approbation.

On motion made and seconded,

The House resolved itself into a Committee to consider His Excellency's speech and prepare an address in answer thereto—Mr. Smith in the Chair.

The Speaker resumed the Chair.

The Chairman reported the draft of an address in answer to His Excellency's speech, and the said Address being read was agreed to and ordered to be engrossed.

The Committee appointed to wait upon His Excellency to know when he will be pleased to receive the House that their Speaker may be presented for his approbation—reported—

That His Excellency will receive the House immediately.

The House waited upon His Excellency accordingly.

The Speaker reported that His Excellency had been pleased to approve of the Speaker chosen by the House and to promise that the Members of the House shall enjoy freedom of debate, access to the person of His Excellency, and be privileged from arrest.

The Address of the House in answer to His Excellency the Lieutenant Governor's speech was read as engrossed, and the same being agreed to was ordered to be signed by the Speaker, and is as follows, to wit:—

“To His Excellency John Graves Simcoe, Esquire,  
“Lieutenant Governor and Colonel commanding His Majesty's Forces in the Province of Upper Canada, &c. &c.

“The Humble Address of the House of Assembly—  
May it please Your Excellency:—

We the Representatives of the Commons of the Province of Upper Canada in General Assembly convened most sensibly flattered by the strong testimony of His Majesty's paternal tenderness for the new Province in the choice he has graciously been pleased to make of Your Excellency to preside over its infant progress, beg leave to congratulate Your Excellency, as we do ourselves, on so distinguished a mark of the Royal favour.

We anticipate the personal satisfaction of all His Majesty's loyal subjects in this extended settlement in finding their political interests and military protection confided to the united character of a British Senator Soldier, and we beg

leave to assure Your Excellency that our personal endeavours shall not be wanting to render the satisfaction mutual; if it may depend on a steady and uniform support of every measure which shall tend to strengthen our union with the present Kingdom, and add our mite to its splendour and glory,”

Ordered that Mr. Smith and Mr. Hugh Macdonell wait on His Excellency to know when His Excellency will be pleased to receive the House with the said Address.

Ordered, on motions made and seconded that nine Members shall be a sufficient number to constitute a House. Also that every Bill shall be read three times before it is sent to the Honorable Legislative Council for concurrence. Also that a Bill of a private nature be presented by Petition, of a public nature by motion. Also That on a Committee of the House the Speaker leave the Chair. Also that a Member intending to move any question give a day's previous notice. Also that a petition being presented be ordered to lie on the Table at least two days. Also, That when the Speaker puts the question the House be cleared.

The Committee appointed to wait upon His Excellency to know when he will be pleased to receive the House with their Address in answer to His Excellency's Speech—Reported—

That His Excellency will receive the House immediately—

The House waited upon His Excellency with the said Address to which His Excellency was pleased to make the following answer.  
Gentlemen:—

I am much obliged by the expressions of loyalty to His Majesty's Government contained in your answer to my Speech, and am highly gratified in the confidence you repose in my appointment to the administration of the Government of Upper Canada.

The House adjourned until to-morrow morning at 10 o'clock.

---

*Wednesday, 19th. September, 1792.*

Prayers by the Reverend Mr. Addison.

On motion made and seconded,

Ordered, That a certain written Instrument signed Philip Dorland, laid before the House for their consideration by the Secretary of the Province, be read.

Which Instrument was read accordingly and is as follows, to wit:—

“To all whom these Presents may concern Philip Dorland of Adolphustown in the County of Lennox sendeth greeting—

Whereas by a certain Writ under the Great Seal of this Province of Upper Canada, bearing date on or about the 16th. day of July 1792, and directed to the Returning Officers of the County of Prince Edward and District of the Township of Adolphustown he is thereby required to send one Knight girt with a sword the most fit and discreet to represent the said County.

And whereas due and legal notice had been given the said Returning Officer, in obedience to the said writ, proceeded to the election of one Knight or Representative of the said County of Prince Edward, together with the District of the late Township of Adolphus on the 21st. day of August, at which time and place



the said Philip Dorland was declared by the said Returning Officer to have been duly elected by a majority of the Freeholders then and there present having a right to vote for the said County and District, and in confirmation thereof certain indentures were entered into and duly executed by and between divers of the Freeholders of the County of Prince Edward and said District and the Returning Officer aforesaid as in and by the said Indentures will more fully appear.

*Now know ye* that I the said Philip Dorland having since the said elections and returns as aforesaid seen and read a certain Act of Parliament intituled an Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, intituled an Act for making more effective provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province whereby it is enacted that no Member either of the Legislative Council or Assembly shall be permitted to sit or vote therein until he have taken and subscribed a certain oath therein set forth. *And whereas* from the religious principles I profess (being one of the persons commonly called Quakers) I do not feel myself at liberty nor can I conscientiously take an oath in the form and manner usually prescribed although I would readily affirm and subscribe a declaration to the purpose and effect therein set forth, *And Whereas* I have reason to believe that in consequence of such my scruples and refusal to comply with the form therein directed I should not be permitted to sit or vote in the said House of Assembly, I the said Philip Dorland have in the presence of the said Returning Officer signed, sealed and executed these presents and declaration and have requested the said Returning Officer to annex the same to the returns and Indentures aforesaid in order that if an affirmation cannot be accepted of in lieu of the form of the oath that the said House of Assembly may direct a new Writ to be issued for the said County and District aforesaid or to take such steps in the premises as to their wisdom is seem meet.

(Signed) PHILIP DORLAND, L.S.

Signed and sealed  
in the presence of

(Signed) JOHN PETERS, *Returning Officer*.

Ordered, That the Speaker direct a new Writ to be issued for the said County and District, aforesaid Philip Dorland, Esquire, being declared incompetent to sit or vote in the House without having taken and subscribed the Oath set forth in the Act of Parliament aforesaid in the manner and form therein specified.

Mr. Jones moved for leave to bring in a Bill "To Authorize Town Meetings for the purpose of appointing divers Parish Officers."

Leave was given.

The House adjourned till Eleven o'clock on Friday next.

---

*Friday 21st. September 1792.*

Prayers by the Reverend Mr. Addison appointed Chaplain.

Mr. Jones moved for leave to bring in a Bill to establish Trials by Jury.

Leave was given.

On Motion made and seconded, Ordered that Mr. Smith, Mr. Macomb, Mr. French and Mr. Campbell be a Committee to assess and regulate the sums to be paid as salaries to the several Officers employed by the House.

The House adjourned for one hour.

The Speaker resumed the Chair.

The Committee appointed to regulate and assess the sums to be paid as salaries to the several Officers employed by the House Reported that they had gone into the consideration of the sums to be paid to the said officers as salaries and allowed—

To the Clerk of the House Ninety one Pounds five shillings Quebec currency per annum—

To the Sergeant at Arms of the House Forty-five pounds twelve shillings and six pence Quebec currency per annum.

To the Doorkeeper of the House Ten pounds Quebec currency per annum.  
Ordered, That the said Report be accepted.

The House adjourned till Monday next at Eleven o'clock.

---

*Monday 24th. September 1792.*

Prayers.

The Order of the Day being read

A Bill intituled "Act to establish Trials by Jury"

Was read the first time.

Ordered to be read again to-morrow.

Mr. Smith moved for leave to bring in a Bill to raise the necessary supplies for the discharge of such Public Debts as are or may be contracted by this House.

Leave was given.

Mr. Jones moved for leave to bring in a Bill to encourage the destroying of wolves.

Leave was given.

On Motion made and seconded

Ordered, That the Officers of the House be specially sworn.

Mr. French moved for leave to bring in a Bill for the better regulation of Surveyors their fees and jurisdiction.

Leave was given.

On motion made and seconded

Ordered, That Mr. Macomb, Mr. French, Mr. Pawling, Mr. Campbell, Mr. Pettit and Mr. Spencer be a Committee to go into the consideration of the most effectual means of preventing persons not duly qualified from practising Physic.

On Motion made and seconded

Ordered, That Mr. Macomb, Mr. Smith, Mr. Jones, Mr. Spencer, Mr. Baby, Mr. Campbell and Mr. Pettit be a Committee to go into the consideration of the ways and means of raising the necessary supplies.

The House adjourned until to-morrow morning at Eleven o'clock.

*Tuesday 25th. September 1792*

On Motion made and seconded

Ordered, That the Clerk read a list of the Members' names on the Speaker taking the Chair, and mark the names of those present in order to ascertain if the number be sufficient to form a House.

On motion made and seconded

Ordered, That the Clerk shall give timely notice to the Chaplain of such days as the House expect his attendance to read prayers—to wit, after adjournments of one or more days.

The Committee appointed to go into the consideration of the ways and means of raising the necessary supplies reported

That they have gone into the consideration of the ways and means of raising the necessary supplies and prepared Bills accordingly.

Which Report was accepted.

Ordered, That the said Bills be read.

A Bill laying a duty on the Retailers of Spirituous Liquors and Wines

Was read accordingly.

Ordered, That the said Bill be read a second time on Monday next.

A Bill laying a duty on all goods sold by Public Auction.

Was also read accordingly.

Ordered, That the said Bill be read a second time on Monday next.

A Bill to prevent Smuggling

Was also read accordingly.

Ordered, That the said Bill be read a second time on Monday next.

The Committee appointed to go into the consideration of the most effectual means for preventing persons not duly qualified from practising Physic—Reported

That they do not think it advisable to lay the practice of Physic under any restrictions in the infant state of this Province.

The Order of the Day being read

A Bill to establish Trials by Jury was read a second time, and ordered to be committed.

House in Committee.

Mr. Smith in the Chair.

The Speaker resumed the Chair.

The Chairman Reported

That the Committee had gone into the consideration of the said Bill, and had directed him to report a progress, and requested leave to sit again.

Ordered, That the said Report be accepted.

A Bill to authorize Town meetings was read the first time.

Ordered to be read again on Thursday next.

A Bill for the better regulation of surveyors, their fees and jurisdiction was read the first time.

Ordered, that the said Bill be read again on Thursday next.

A Bill to encourage the destroying of wolves was read the first time.

Ordered, That the said Bill be read again on Thursday next.

The House adjourned until to-morrow morning at eleven o'clock.



*Wednesday 26th. September 1792.*

Mr. Campbell moved for leave to bring in a Bill to establish the Winchester Measure and a Standard for other weights and measures.

Leave was given.

The Order of the Day being read

The House went again into Committee on the consideration of the Bill to establish Trial by Jury.

Mr. Spencer in the Chair.

Mr. Speaker resumed the Chair.

The Chairman Reported

That the Committee had again taken the said Bill into consideration—and agreed to the same without amendments.

Which Report was accepted

And the said Bill was ordered to be engrossed and read again to-morrow.

Angus Macdonell was sworn in as Clerk to the House.

George Law was also sworn in as Sergeant At Arms to the House.

A message from the Honorable Legislative Council with a Bill to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign intituled An Act for making more effectual provision for the Government of the Province of Quebec in North America and to introduce the English Laws as the rule of decision in all matters of controversy and civil rights

Which Bill was read the first time

Ordered, That the said Bill be read again on Saturday next.

Mr. Smith moved for leave to bring in a Bill for the decision of Actions at Law not exceeding forty shillings Quebec currency by the determination of two Justices of the Peace without appeal.

Leave was given accordingly.

Ordered, That the House go into Committee to-morrow on the consideration of the ways and means of raising a Revenue.

The House adjourned until to-morrow morning at Eleven o'clock.

---

*Thursday 27th. September 1792.*

The Order of the Day having been read

A Bill to authorize Town Meetings &c. was read a second time.

Ordered, That the further consideration of the said Bill be postponed for three months.

A Bill for the better regulation of Surveyors their fees and jurisdiction

Was read a second time.

Ordered, That the said Bill be committed.

House in Committee.

Mr. Spencer in the Chair.

The Speaker resumed the Chair.

The Chairman reported that it was the opinion of the Committee that the further consideration of the said Bill should be postponed for three months.

Ordered, That the said Report be accepted.

A Bill to encourage the destroying of Wolves

Was read a second time.

Ordered, That the said Bill be committed.

House in Committee

Mr. Macomb in the Chair.

The Chairman Reported

That the Committee had gone into consideration of the said Bill to encourage the destroying of Wolves, and had agreed to the same with amendments,  
Which Report was accepted.

Ordered, That the said Bill be read a third time with amendments on Tuesday next.

A Bill to establish the Winchester Measures and a

Standard for other weights and measures was read the first time.

Ordered, That the said Bill be read again on Saturday next.

Read the third time as engrossed a Bill to establish Trials by Jury in the Province of Upper Canada.

Ordered, That the said Bill pass and be sent up for concurrence.

A Bill for the decision of Actions at Law not exceeding forty shillings Quebec Currency by the determination of two Justices of the Peace without appeal  
Was read the first time.

Ordered, That the said Bill be read again to-morrow.

Ordered, That the order for going into a Committee of the Whole House on the consideration of the ways and means of raising a Revenue  
Stand over for to-morrow.

The House adjourned until to-morrow morning at eleven o'clock.

---

*Friday 28th. September 1792.*

Mr. Spencer moved for leave to bring in a Bill to authorize the Justices of the Peace to appoint annually divers Public Officers.

Leave was given accordingly.

Mr Spencer moved for leave to bring in a Bill for the better regulation of His Majesty's Highways.

Leave was given accordingly.

The Order of the Day being read

A Bill for the decision of Actions at Law not exceeding Forty Shillings Quebec currency by the determination of two Justices of the Peace without appeal  
Was read a second time.

Ordered, That the said Bill be committed.

House in Committee.

Mr. Spencer in the Chair.

Took into consideration a Bill for the decision of Actions at Law not exceeding forty Shillings Quebec currency by the determination of two Justices of the Peace without appeal.

The Speaker resumed the Chair.

The Chairman Reported

That the Committee had gone into consideration of the said Bill and had agreed to the same with amendments

Which report was accepted.

Ordered, That the said Bill be engrossed as amended and read a third time to-morrow.

House in Committee.

Mr. Campbell in the Chair

Went into the consideration of the ways and means of raising a Revenue.

The Speaker resumed the Chair

The Chairman reported

That the Committee had gone into the consideration of the ways and means of raising a Revenue and had prepared a Bill accordingly.

Ordered, That the said Bill be read.

A Bill for laying a duty on Wine and Distilled Spirits brought into this Province

Was read the first time.

Ordered, That the said Bill be read again on Tuesday next.

---

*Saturday 29th. September 1792.*

Mr. Smith moved for leave to bring in a Bill to enable the Magistrates in their several Districts in Quarter Sessions assembled to raise monies for the building of Gaols and Court-Houses.

Leave was given accordingly.

Mr. Smith moved for leave to bring in a Bill to prevent accidents by Fire.

Leave was given accordingly.

On motion made and seconded

Ordered, That Mr. Colin McNabb as Preventative Officer be ordered to attend at the Bar of the House to-morrow to give information respecting the Contraband Trade carried on in this District as far as the same has come within his knowledge.

Mr. Campbell moved for leave to bring in a Bill to regulate the Toll to be taken in Mills.

The Order of the Day being read

Read a Bill to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign intituled an Act for making more effectual provision for the Government of the Province of Quebec in North America and to introduce the English Laws as the rule of decision in all matters of controversy and civil rights, sent down from the Honorable Legislative Council for concurrence.

Ordered that the said Bill be read a third time on Monday next.

A Bill for establishing the Winchester Measure and a Standard for other weights and measures

Was read the second time.

Ordered, That the said Bill be committed.

House in Committee

Mr. Macomb in the Chair.

Went into consideration of a Bill to establish the Winchester measure and a Standard for other weights and measures.

The Speaker resumed the Chair.

The Chairman Reported.



That the Committee had gone into the consideration of the said Bill and agreed to the same with amendments.

Ordered, That the said report be accepted and that the said Bill be engrossed as amended and read a third time on Monday next.

A Bill to authorize the Justices of the Peace to appoint annually divers Public Officers

Was read the first time.

Ordered, That the said Bill be read a second time on Wednesday next.

A Bill for the better regulation of His Majesty's Highways

Was read a first time.

Ordered, That the said Bill be read a second time on Tuesday next.

Ordered, That the third reading of a Bill for the decision of Actions at Law not exceeding Forty Shillings Quebec currency by the determination of two Justices of the Peace without appeal be postponed until Monday next.

The House adjourned until Monday next at eleven o'clock.

---

*Monday 1st. October 1792.*

Prayers.

The Order of the Day being read

A Bill laying a duty on the Retailers of Spirituous Liquors and Wines

Was read a second time.

Ordered on motion made and seconded, That the further consideration of the said Bill be postponed for three months.

A Bill to prevent Smuggling

Was read a second time

Ordered, That the said Bill be committed.

House in Committee

Mr. Jones in the Chair

Went into consideration of the Bill to prevent smuggling.

The Speaker resumed the Chair

The Chairman Reported

That the Committee had gone into the consideration of the said Bill and directed him to report that it was their opinion that the further consideration of the said Bill should be postponed for three months.

Ordered, That the Report be accepted.

A Bill to enable the Magistrates in their respective Districts to raise certain rates for building Gaols and Court Houses

Was read the first time.

Ordered, That the said Bill be read a second time to-morrow.

A Bill to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign intituled An Act for making more effectual provision for the Government of the Province of Quebec in North America and to introduce the English Laws as the rule of decision in all matters of controversy and Civil Rights

Was read a third time.

Ordered, That the House concur in the same, and that it be returned to the Honorable the Legislative Council.

A Bill for the decision of Actions at Law not exceeding Forty Shillings Quebec currency by the determination of two Justices of the Peace without appeal

Was read the third time.

Ordered, That the said Bill pass and be sent up for concurrence.

A Bill to prevent accidents by fire was read the first time.

Ordered, to be read again on Tuesday next.

A Bill to regulate the Toll to be taken in Mills

Was read the first time.

Ordered, That the said Bill be read again to-morrow.

The House adjourned until to-morrow morning at Eleven o'clock.

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*Tuesday 2nd. October 1792.*

The Order of the Day being read

A Bill laying a duty upon all goods sold at Auction was read the second time.

Ordered, That the same be committed.

House in Committee

Mr. Jones in the Chair

Went into the consideration of a Bill laying a duty upon all goods sold at Public Auction.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same with amendments

Which report was accepted.

Ordered, That the said Bill be engrossed as amended, and read a third time on Thursday next.

A Bill to encourage the destroying of Wolves

Being read a third time

Ordered, on motion made and seconded, That the further consideration of the said Bill be postponed for three months.

A Bill for laying a Duty upon Wine and Distilled Spirits brought into this Province

Was read the second time.

Ordered, That the same be engrossed and read a third time on Thursday next.

A Bill for the better regulation of His Majesty's Highways

Was read the second time.

Ordered, That the said Bill be committed.

House in Committee

Mr. Macomb in the Chair

Went into the consideration of a Bill for the better regulation of His Majesty's Highways.

The Speaker resumed the Chair.

The Chairman reported Progress and begged leave to sit again.

Ordered, That the said Report be accepted.

A Bill empowering the Magistrates in their respective Districts to raise certain rates for building Gaols and Court Houses

Was read a second time.

Ordered, on motion made and seconded, That the further consideration of the said Bill be postponed for three months.

A Bill to prevent accidents by fire was read a second time.

Ordered, That the said Bill be engrossed and read a third time on Thursday next.

A Bill to regulate the Toll to be taken in Mills

Was read a second time.

Ordered, That the said Bill stand committed for to-morrow.

Mr. Jones moved for leave to bring in a Bill to authorize the election of divers Public Officers.

Leave was given.

The House adjourned until to-morrow morning at eleven o'clock.

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*Wednesday 3rd. October 1792.*

Mr. Campbell moved for leave to bring in a Bill to regulate the custom of allowing Swine and Cattle to range.

Leave was given accordingly.

Mr. French brought up by leave a Petition from the inhabitants of the River Raisin.

Ordered to lie on the Table.

The Order of the Day being read

A Bill to authorize the Justices of the Peace to appoint annually divers Public Officers

Was read a second time.

Ordered, That the said Bill be committed.

House in Committee.

Mr. Jones in the Chair

Went into the consideration of a Bill to authorize the Justices of the Peace to appoint annually divers Public Officers.

The Speaker resumed the Chair.

The Chairman reported that the Committee had agreed to the said Bill with amendments

Which Report was accepted.

Ordered, That the said Bill be engrossed as amended, and read a third time on Friday next.

House in Committee.

Mr. Jones in the Chair

Went again into the consideration of a Bill for the better regulation of His Majesty's Highways.

The Speaker resumed the Chair.

The Chairman Reported

That the Committee had gone into the consideration of the said Bill and agreed to the same with amendments

Which Report was accepted.



Ordered, That the said Bill be engrossed as amended and read a third time on Saturday next.

House in Committee.

Mr. Jones in the Chair

Went into the consideration of a Bill to regulate the Toll to be taken in Mills.

The Speaker resumed the Chair.

The Chairman Reported that the Committee had gone into the consideration of the said Bill and agreed to the same with amendments

Which Report was accepted.

Ordered, That the said Bill be engrossed as amended and read a third time on Saturday.

The House adjourned until to-morrow morning at eleven o'clock.

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*Thursday 4th. October 1792.*

The Order of the Day being read

A Bill for laying a duty upon Wine and Distilled Spirits brought into this Province

Was read as engrossed.

Ordered, That the said Bill pass and be sent up for concurrence.

On Motion made and seconded

Ordered, That the third reading of a Bill laying a duty upon all goods sold at Public Auction stand over for to-morrow.

The House adjourned for one hour.

The Speaker resumed the Chair.

A Petition from Samuel Thompson, Esquire, was brought up by leave, which was read and

Ordered, That Mr. French, Mr. Campbell, Mr. Swayzie, and Mr. Jones be a Committee to go into the consideration of the said petition and to report thereupon.

The House adjourned until to-morrow morning at eleven o'clock.

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*Friday 5th. October 1792.*

The Order of the Day being read

On Motion made and seconded

Ordered, That the third reading of a Bill to authorize the Justices of the Peace to appoint annually divers Public Officers stand over for Monday next.

On motion made and seconded

Read by Order a Petition brought up by Mr. French from the inhabitants of River Raisin as follows—

to wit:—

To the Honorable

The House of Representatives

The Humble Petition of the inhabitants of the River Aux Raisins in the County of Stormont

Humbly Sheweth

That Your Petitioners labour under very great and grievous disadvantages from the navigation of this River being obstructed by Mills and Timber which deprives Your Petitioners of the convenience of transporting their produce by water to the Lake, and likewise the benefits arising from the fish which formerly swarmed in this River previous to the erection of Mills.

Your Petitioners likewise beg leave to represent the necessity of a land communication with Lower Canada as laid out by Mr. Penoyer except in place of falling in upon the River St. Lawrence at Coteau du Lac, to strike in a straight course to the Ferry at Quinze Chiens, opposite St. Ann's on the Island of Montreal, which would not only shorten the distance by several leagues, but likewise render travelling safe and commodious at all Seasons.

Your Petitioners therefore humbly pray that their case may be taken into consideration and such redress granted as your wisdom may see fit.

And Your Petitioners as in duty bound will ever pray &c.

Signed by eighty-two principal inhabitants.

Which Petition being read

Ordered, That the same be rejected.

The House adjourned for one hour.

The Speaker resumed the Chair.

A Message from the Honorable the Legislative Council with a Bill to prevent accidents by fire as sent from the Honorable Legislative Council with amendments, Which being read by order the House concurred in the amendments and ordered the Bill to be returned to the Honorable Legislative Council.

Also, with a Bill to establish Trials by Jury as sent from the Honorable Legislative Council with amendment

Which being read by Order

The House concurred in the Amendment, and ordered the Bill to be returned to the Honorable Legislative Council.

Also

With a Bill to establish the Winchester Measure and a Standard for other Weights and Measures, as sent from the Honorable Legislative Council with Amendments—

Which being read by Order

The House concurred in the amendments and ordered the Bill to be returned to the Honorable Legislative Council.

Also

With a Bill for the more easy and speedy recovery of Small Debts as sent from the Honorable Legislative Council with Amendments.

Which being read by Order

The House concurred in the Amendments and ordered the Bill to be returned to the Honorable Legislative Council.

Also

With a Bill for building a Gaol and Court House in every District within this Province, and for altering the names of the said Districts

Which Bill was read the first time.

Ordered, That the same be read again to-morrow.

Also

With a Bill to abolish the Summary Proceedings of the Courts of Common Pleas in Actions under Ten Pounds Sterling.

The House adjourned until to-morrow morning at half an hour after nine o'clock.

*Saturday 6th. October 1792.*

The Order of the Day being read

The Committee appointed to take into consideration the Petition of Samuel Thompson, Esquire, reported

That they had gone into the consideration of the same accordingly, and were of opinion that the same should be rejected as frivolous.

Ordered, That the said Report be accepted.

A Bill to regulate the Toll to be taken in Mills was read a third time as engrossed.

Ordered, That the said Bill pass and be sent up for concurrence.

A Bill to lay a Duty upon all the Goods sold by Public Auction was read a third time as engrossed.

Ordered, That the said Bill pass and be sent up for concurrence.

On motion made and seconded

Ordered, That the third reading of a Bill for the better regulation of His Majesty's Highways be postponed until Monday next.

A Bill for building a Gaol and Court House in every District within the Province, and for altering the names of the said Districts

Was read a second time.

Ordered, That the said Bill stand committed for Monday next.

A Bill to abolish the Summary Proceedings in the Courts of Common Pleas in Actions under Ten Pounds Sterling

Was read a second and a third time.

The House concurred in the said Bill, and ordered that the same be returned to the Honorable Legislative Council.

The House adjourned until Monday next at Eleven o'clock.

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*Monday 8th. October 1792*

The Order of the Day being read

A Bill for the better regulation of His Majesty's Highways was read as engrossed.

Ordered, That the said Bill pass, and be sent up for concurrence.

House in Committee.

Mr. Spencer in the Chair

Went into the consideration of a Bill for building a Gaol and Court House in every District within this Province, and for altering the names of the said Districts.

The Speaker resumed the Chair.

The Chairman reported, That the Committee had gone into the consideration of the said Bill and had made a progress therein, and requested leave to sit again.

Ordered, That the said Report be accepted.

On Motion made and seconded

Ordered, That the third reading of a Bill to authorize the Justices of the Peace to appoint annually divers Public Officers be postponed until the third day of the next Sessions.

The House adjourned until to-morrow at noon.



*Tuesday 9th. October 1792*

The Order of the Day being read

House in Committee

Mr. Pettit in the Chair

Went into the consideration of a Bill for building a Gaol and Court House in every District within this Province, and for altering the names of the said districts.

The Speaker resumed the Chair.

The Chairman Reported

That the Committee had gone into the consideration of the said Bill, and had directed him to report progress, and requested leave to sit again.

Ordered, That the said Report be accepted.

House adjourned until to-morrow at noon.

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*Wednesday 10th. October 1792*

House in Committee

Mr. Spencer in the Chair.

Went again into the consideration of a Bill for building a Gaol and Court House in every District within this Province, and for altering the names of the said Districts.

The Speaker resumed the Chair

The Chairman reported

That the Committee had gone into the consideration of the said Bill, and has concurred in the same without amendment.

Ordered, That the said Report be accepted and that the said Bill be returned to the Honorable Legislative Council.

On Motion made and seconded

Ordered, That the Clerk of the House take the proper means of procuring the best information he can obtain respecting the quantities and varieties of merchandise imported or brought into this Province since the appointment of the Superintendents of Inland Navigation, and lay the same information before the House when thereunto required next Session.

On Motion made and seconded

Ordered, That eight Members and the Speaker shall form and constitute a House.

The House adjourned until to-morrow at Noon.

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*Thursday 11th. October 1792*

A Message from the Honorable Legislative Council with a Bill returned with Amendments.

A Bill to regulate the Toll to be taken in Mills was accordingly read as amended.

Ordered, That Mr. Smith, Mr. Hugh Macdonell, be a Committee to request a Conference with the Honorable the Legislative Council respecting the said amendments.

The House adjourned until to-morrow at Noon.

*Friday 12th. October 1792*

The Order of the Day being read

The Committee appointed to request a Conference with the Honorable the Legislative Council respecting the amendments made in the Bill to regulate the toll to be taken in Mills reported,

That they had waited accordingly upon the Honorable the Legislative Council, and that the Speaker thereof informed them that the Honorable the Legislative Council accepted with readiness the proposed Conference.

Which Report was accepted.

A Message from the Honorable Legislative Council informing that a Committee from their House was ready to confer with this House respecting the amendments in the Bill to regulate the toll to be taken in Mills.

Ordered, That Mr. White, Mr. Macomb, and Mr. Jones be a Committee for the said purpose.

The House adjourned for half an hour.

The Speaker resumed the Chair.

The Committee appointed to confer with a Committee of the Honorable Legislative Council respecting the parts of the amendments made in the Bill for regulating the Toll to be taken in Mills found objectionable by this House

Reported, That the Committee of the Honorable Legislative Council had concurred with them in the alterations required.

Which Report was accepted.

And the said Bill being read as last amended

Ordered, That the same pass and be returned to the Honorable Legislative Council.

On Motion made and seconded

Ordered, That the Speaker give orders for having imported from England such articles of Stationery as the House may have occasion to use, and cannot be procured as yet in this Province.

The House adjourned until Monday next at Ten o'clock in the morning.

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*Monday 15th. October 1792*

Prayers and a Sermon.

A Message from His Excellency the Lieutenant Governor requiring the attendance of the House in the Council Chamber.

The House having attended accordingly

His Excellency was pleased to give his assent to the following Acts—to wit:—

An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign intituled An Act for making more effectual provision for the Government of the Province of Quebec in North America and to introduce the English Laws as the rule of decision in all matters of Controversy and Civil Rights.

An Act to establish Trial by Jury.

An Act to prevent Accident by Fire in this Province.

An Act to abolish the Summary Proceedings of the Courts of Common Pleas in Actions under Ten Pounds Sterling.

An Act for the more easy and speedy recovery of Small debts.

An Act to establish the Winchester Measure and a Standard for other Weights and Measures throughout this Province.

An Act for building a Gaol and Court House in every District within this Province, and for altering the names of the said Districts—and

An Act to regulate the Toll to be taken in Mills.

After which His Excellency was pleased to make the following Speech to both Houses.

Honorable Gentlemen of the Council

and

Gentlemen of the House of Assembly

It is with very great satisfaction that I have considered the Acts which you have found it expedient to frame, and to which, in consequence of the power delegated to me, I have this day given my assent that they shall become Laws of the Province of Upper Canada.

As the division which His Majesty in his wisdom thought proper to make of the late Province of Quebec obviated all inconveniences and laid the foundation for the establishment of the English Laws within this Province it is natural to presume that you would seize the first opportunity to impart that benefit to your fellow subjects, and by the Act to establish Trials by Jury, and by that which makes the English Laws the rule of decision in all matters of controversy relative to property and Civil Rights you have fully justified the public expectation.

His Majesty in His benevolence having directed a seventh from such lands as shall be granted to be reserved to the Crown for the Public benefit, it will become my duty to take those measures which shall appear to be necessary to fulfil his gracious intentions, and I make no doubt but that as Citizens and Magistrates you will give me every assistance in your power to carry into effect fully a system from which the Public and Posterity must derive such peculiar advantages.

Honorable Gentlemen—and Gentlemen,

I cannot dismiss you without earnestly desiring you to promote by precept and example among your respective Counties the regular habits of piety and morality, the surest foundations of all public and private felicity, and at this juncture I particularly recommend to you to explain that this province is singularly blessed, not with a mutilated Constitution, but with a Constitution which has stood the test of experience, and is the very image and transcript of that of Great Britain, by which she has long established and secured to her subjects as much freedom and happiness as it is possible to be enjoyed under the subordination necessary to civilized Society.

And then the Speaker of the Honorable Executive Council declared, by His Excellency's command, both Houses to be prorogued to Monday the Thirty-first day of December next.

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[Certified to be a true copy

(Signed) GEORGE MAYER

Librarian and Keeper of Records.]



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Journals and Votes

OF THE

HOUSE OF ASSEMBLY

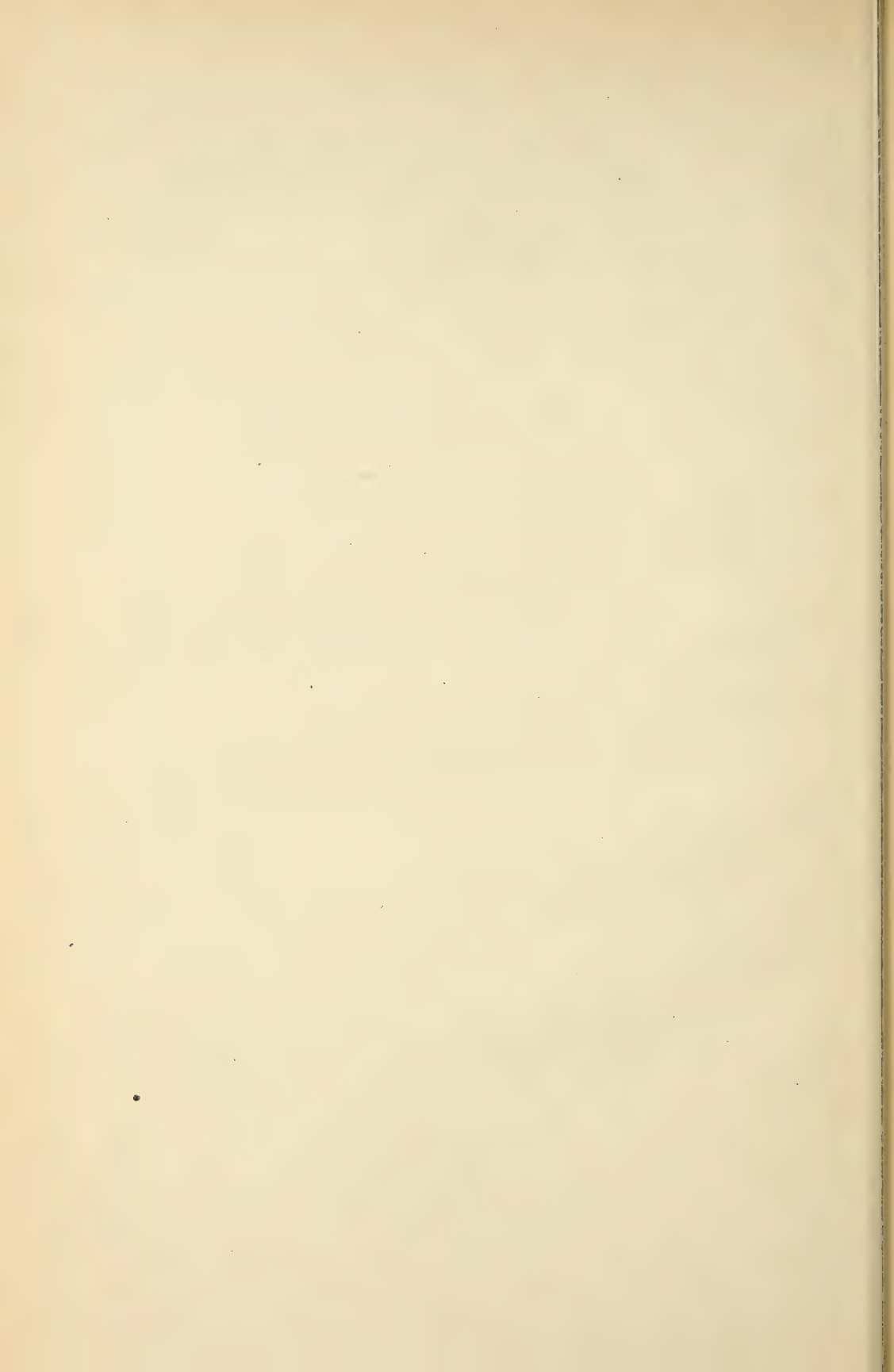
OF THE

Province of Upper Canada

1793

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Journal and Votes  
OF THE  
HOUSE OF ASSEMBLY  
OF THE  
Province of Upper Canada,  
1793.

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HOUSE OF ASSEMBLY,  
NEWARK, Friday 31st. May 1793.

The General Assembly having been prorogued to this day the House met accordingly.

A Message from His Excellency requiring the attendance of the House in the Council Chamber.

The House attended accordingly, and, being returned, Mr. Speaker reported that His Excellency had been pleased to make the following Speech to both Houses:—

Honorable Gentlemen of the Legislative Council and Gentlemen of the House of Assembly:—

The persons who at present exercise the Supreme Authority in France having declared war against His Majesty, I think it proper to recommend to your early attention the new modelling of a Militia Bill, which the more urgent business of the last Session prevented you from accomplishing.

I have the firmest reliance that it will be framed in a manner suitable to the principles of the British Constitution so as to unite the interest and convenience of individuals with an establishment necessary to the Public Protection.

It is with great satisfaction I am able to communicate to you that the insidious attempts of those who envy the prosperity of the British Nation, or are avowedly disaffected to the principles of its Constitution, have been completely counteracted and defeated by the wisdom of His Majesty's Councils, and by the affectionate attachment and spirited resolves of all ranks and descriptions of His Majesty's Subjects; and it is manifest that upon this important occasion Britons have acted with that unanimity and loyalty which might be expected from men who know how to estimate the vain assumptions of innovators, and from the virtue, the wisdom, the struggles and experiences of their ancestors inherit those Civil and Religious Blessings which are derived under a free Constitution, equally abhorrent of Absolute Monarchy, arbitrary Aristocracy, or tyrannical Democracy.

The principles on which those who exercise authority over the French Nation support the War which they have so unjustly begun against His Majesty's Allies cannot fail to call to your recollection how often it has been necessary for Great



Britain to stand forth as the protector of the Liberties of mankind, and we may entertain a pious confidence that under the guidance of the Almighty Giver of all Victory His Majesty's arms, directed to the security of His Allies, will ultimately be crowned with success, and that it will be the felicity of the British Empire to maintain the independency of Europe against all modern aggressions upon those equitable principles which our Ancestors so wisely contributed to establish.

I am happy to congratulate you upon the success which has attended His Majesty's arms in the protection of His Allies in the East Indies; and I am sure you will readily concur in the observation that a War which has been carried on with consummate vigour and ability under the conduct of Marquis Cornwallis, so prosperous and decisive in its events should be tormented with such Justice and moderation is a fresh proof to the Universe of that magnanimity which has so long characterized the British Nation.

Honorable Gentlemen—and Gentlemen,

I have to recommend to you to proceed in that laudable course of unanimity with which you have begun your Legislative Functions, and to continue all your consultations to advance the interests and happiness of this Colony by making those provisions for the due support of Public Justice, for the encouragement of morality, and the punishment of crime, which are necessary to the existence of Society.

In all these measures that may promote the real welfare of His Majesty's Subjects in this Country which may tend to the most intimate union with every part of the British Empire you cannot fail of meeting with His Majesty's paternal and beneficent approbation, and you may always be assured that my best endeavours will always be exerted to forward the public prosperity, not only from the duty which I owe to the King, but from the most sincere attachment which I bear to the Inhabitants of this Province.

The House being returned and His Excellency's Speech read

The House went into Committee

Mr. Jones in the Chair

Went into consideration of His Excellency's Speech.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Speech and had directed him to report a progress, and requested leave to sit again

Which Report was accepted.

William Jarvis, Esquire, Secretary of the Province attended in behalf of the Clerk of the Crown with the Writ for the election of a Member for the County of Prince Edward and District of the late Township of Adolphus, by the return of which it appears that Peter Van Alstine, Esquire, is duly elected.

House in Committee

Mr. Jones in the Chair

Went into the consideration of the said Return.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Return and had directed him to report a progress, and requested leave to sit again

Which Report was accepted.

The House adjourned until to-morrow at Twelve o'clock.

*Saturday 1st. June 1793*

Prayers.

The Order of the Day being read

House in Committee

Mr. Jones in the Chair

Resumed the consideration of His Excellency's Speech.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone again into the consideration of His Excellency's Speech, and had directed him to report the draught of an Address in answer thereto.

Which Report was accepted

And the said Draught being read was agreed to and

Ordered to be engrossed.

On motion made and seconded

Ordered, That Mr. Jones, Mr. Macomb and Mr. White be a Committee to wait upon His Excellency to know when he will be pleased to receive this House with their Address.

The Committee appointed to wait upon His Excellency to know when he would be pleased to receive the House with their Address reported

That His Excellency will receive the House on Monday next at One o'clock.

House in Committee

Mr. Jones in the Chair

Resumed the consideration of the return from the County of Prince Edward.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone again into the consideration of the said return, and having accepted the same had in consequence qualified the said Peter Van Alstine, Esquire, by administering to him the necessary Oath.

And the said report being accepted the said Peter Van Alstine, Esquire, took his seat accordingly.

The House adjourned until Monday next at Twelve o'clock.

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*Monday 3rd. June 1793.*

Prayers.

The Order of the Day being read

Resolved that the House shall take into consideration on Wednesday next in Committee of the Whole House the Ways and Means of raising a Revenue.

On Motion made and seconded

Ordered, That such Acts as have already passed or may hereafter pass the Legislature of this Province be translated into the French Language for the benefit of the inhabitants of the Western District of this province and other French settlers who may come to reside within this Province and that A. Macdonell, Esquire, Clerk of this House be likewise employed as a French Translator for this and other purposes of this House.

Mr. Spencer moved for leave to bring in a Bill for the better regulation of the Militia.

Leave was given.

Also for leave to bring in a Bill to regulate the laying out, amending, and keeping in repair the Public Highways and Roads in this Province.

Leave was given accordingly

Read as engrossed the Address of the House in answer to His Excellency the Lieutenant Governor's Speech, and the same being agreed to was signed by the Speaker and is as follows—to wit

To His Excellency John Graves Simcoe, Esquire, Lieutenant Governor and Colonel Commanding His Majesty's Forces in the Province of Upper Canada, &c., &c.

The Humble Address of the House of Assembly

May it Please Your Excellency:—

We His Majesty's most Loyal and Dutiful Subjects, the Members Of the House of Assembly of the Province of Upper Canada in Legislature assembled, beg leave to return to Your Excellency our sincere thanks for your most excellent speech.

We have heard with the truest concern of the great violence and almost universal anarchy that have been introduced by the persons exercising the Supreme Power in France into that once flourishing Kingdom, violence that even the sacred person of his Majesty has not escaped; Anarchy that threatens to be the total destruction of that Kingdom. Though our natural enemies we deplore their miseries, but as good Citizens and lovers of Rule and Order we detest their principles.

We assure Your Excellency that our utmost diligence shall be used to frame and complete such a Militia Bill as will not only show our own promptness to fulfil Your Excellency's wishes, but our own energy in defending that noble Constitution which Great Britain has given to us, and which by enabling us to repel all insult will secure to us the invaluable blessings that we derive from it.

We hear with unbounded pleasure that those whose secret Engines of Destruction have vainly endeavoured to disturb the Laws of our parent country have been discovered and frustrated, and that the efforts of our avowed enemies are equally impotent and abortive, and we are anxious to declare how proud we shall be to exhibit to our fellow citizens an equal ardour in manifesting the truest loyalty and love towards our King and genuine Patriotism in defence of our Country.

These sentiments will prove to Your Excellency how much we rejoice at the success of His Majesty's Arms in India, and we have the firmest reliance under Divine Providence upon the same Valour that hath so eminently displayed itself throughout that country for perfecting and ensuring peace to His Allies in Europe.

We assure Your Excellency that it shall be our early and steady endeavour to adopt and devise such means as may throughout this Province ensure to its inhabitants a firm support of Public Justice, the encouragement of Morality, and the Punishment of Crime, and we trust that with the able support that we shall receive from Your Excellency we shall continue to retain that paternal and beneficent approbation which our King has hitherto so eminently shown to us.

We cannot retire from Your Excellency's presence without expressing the high sense we entertain of the unremitting care and anxiety that Your Excellency shows for the prosperity of this increasing Province and more particularly for those arduous endeavours that Your Excellency has lately shown to acquire a thorough knowledge of the nature and condition of the Country, its population



and resources, and we sincerely hope that Your Excellency may long continue with us to witness the advantages that your exertions will undoubtedly procure us.

The House waited upon His Excellency with the said Address

To which His Excellency was pleased to make the following answer.

Gentlemen:—

I feel myself infinitely obliged by your approbation of my endeavours to be of service to the Province, and you may depend on my unremitting zeal in every circumstance to advance the public prosperity.

The House adjourned until Wednesday Morning at Eleven o'clock.

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*Wednesday 5th. June 1793*

Prayers.

The Order of the Day being read

House in Committee

Mr. Macomb in the Chair

Went into the consideration of the ways and means of raising a Revenue in this Province.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the ways and means of raising a Revenue in this Province, and had directed him to report the following resolutions—to wit:

Resolved, That all Retailers of Spirituous Liquors and Wine shall pay Three Pounds currency per annum for their Licenses, Two Pounds of which shall be paid into His Majesty's Exchequer as usual, and the remainder, after deducting the necessary and unavoidable fees of collection shall be appropriated to the discharge of the debts of the Provincial Legislature as may be ordered.

Resolved, That all persons keeping an open shop for the retail of merchandize shall take up a License for so doing and pay for the same the sum of Two Pounds Five Shillings currency per annum, out of which Five Shillings only shall be allowed for all fees, expenses, and deductions in collecting the same.

Resolved, That all persons going into the Indian Country to sell or barter merchandize be comprized within the description of shopkeepers, and obliged to take up Licenses accordingly.

Resolved, That County Rates shall be laid and collected in every District for the purposes of building Gaols and Court Houses, and that every inhabitant Householder within each District respectively shall be rated, assessed, and pay in the following proportion.

If his Estate real or personal be valued at One Hundred Pounds and upwards he shall pay Ten Shillings Currency.

If his Estate real or personal shall be valued under One Hundred Pounds Currency and above Fifty Pounds Currency he shall pay Five Shillings.

If his Estate real or personal be valued under Fifty Pounds Currency he shall only pay Two Shillings and Six pence.

Which Report was accepted.

Ordered, That Mr. Jones, Mr. White and Mr. Macomb be a Committee to bring in Bills accordingly.

Read the first time, a Bill to regulate the laying out, amending, and keeping in repair the Public Highways and Roads within this Province.

The House adjourned until to-morrow morning at Ten o'clock.

*Thursday 6th. June 1793.*

The Order of the day being read.

Received and read a message from His Excellency the Lieutenant Governor as follows—to wit:

John Graves Simcoe.

Mr. Speaker of the House of Assembly:

His Excellency the Lieutenant Governor of His Majesty's Province of Lower Canada having communicated to me the Copy of an Act of their Legislature entitled "An Act to establish a Fund for paying the salaries of the Officers of the Legislative Council and Assembly and for defraying the Contingent expenses thereof," together with a Resolution of the House of Assembly therein bearing date May 10th, 1793, I have thought it my duty to lose no time in laying them before you. The disposition to preserve a good correspondence which this Resolution evinces, as well as the spirit of justice on which it is framed have a manifest tendency to promote that union between the two Provinces which I shall be always happy to encourage and confirm. And whenever the exigencies of this Country may call you to adopt any measures in which the interests of Lower Canada shall be involved I make no doubt but as faithful subjects and good citizens you will be ready to adopt the same liberal conduct and thereby establish that generous intercourse which should always subsist between members of the same Government.

J. G. S.

Ordered, That the same and the papers accompanying it shall lie on the table for further consideration.

Mr. Campbell moved for leave to bring in a Bill to fix the times and places of holding the General Quarter Sessions of the Peace within the several Districts of this Province.

Also a Bill to prevent the kindling of fires by Travellers near Buildings and Fences.

Also a Bill to regulate the fences in the County of Dundas.

Also a Bill to regulate the sinking of ditches.

And a Bill to establish two annual Fairs in the Town of New Johnston.

Leave was granted.

Mr. Jones moved for leave to bring in a Bill to destroy certain noxious weeds.

Leave was given.

Mr. White moved for leave to bring in a Bill to provide for the appointment of Returning Officers for the several Counties within this Province.

Leave was granted accordingly.

Mr. Swayze moved for leave to bring in a Bill to attach the effects and property of debtors absent from the Province.

Leave was given.

Mr. Spencer moved for leave to bring in a Bill for the better regulation of the Militia of this Province.

Leave was given.

The House adjourned until to-morrow morning at ten o'clock.

*Saturday 8th. June 1793.*

The Order of the day being read

House in Committee

Mr. Speaker in the Chair.

Went into the consideration of His Excellency's Message.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Message and had directed him to report the draught of an Address in answer thereto.

Which Report was accepted, and the said draught being read was agreed to and ordered to be engrossed.

Ordered, That Mr. Macomb and Mr. Spencer be a Committee to wait upon His Excellency to know when he will be pleased to receive the House with the said Address.

Read the first time

A Bill to authorize Town meetings and a Bill to provide for the appointment of Returning Officers for the several counties within this Province.

The Committee appointed to wait upon His Excellency to know when he will be pleased to receive the House with their address in answer to his Message reported.

That His Excellency will receive the House with the same on Monday next at One o'clock.

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*Monday 10th. June 1793.*

Prayers.

The Order of the Day being read

Mr. Campbell requested leave to withdraw the Bills for which he moved for leave on Friday last to bring in.

Leave was given accordingly.

Read as engrossed the Humble Address of the House of Assembly in answer to His Excellency's Message and is as follows—to wit:—

To His Excellency John Graves Simcoe, Esquire, Lieutenant Governor and Colonel Commanding His Majesty's Forces in the Provinces of Upper Canada &c. &c.

May it please Your Excellency:—

We, His Majesty's most Dutiful and Loyal Subjects the House of Assembly of the Province of Upper Canada in Legislature assembled beg leave to return our thanks for the message that we have been favored with from Your Excellency and to assure Your Excellency that it affords us great satisfaction to find that our Fellow Subjects in Lower Canada have shown so strong a disposition to cultivate the concord and harmony that is so essential to the future welfare of His Majesty's Provinces. Sensible as we are of this manifest proof of their good will we should be wanting in a due and proper sense of our mutual interest if we did not exhibit the same endeavours and the same disposition towards them. We therefore delay not to assure Your Excellency that we shall at all times studiously cultivate that proffered concord and harmony which we consider to be the duty of those to do who live under the protection of the same King and to the enjoyment of the same Constitution, and we hope that the result of our consultations on the subject matter of



Your Excellency's Message will be conducive to the general interests of our Constitution, and in that case we doubt not of Your Excellency's ready concurrence to give effect to such measures as shall be adopted.

And the same being agreed to and signed by the Speaker was presented accordingly.

Read the first time

A Bill to destroy certain noxious weeds.

Mr. Booth moved for leave to bring in a Bill to encourage the destroying of bears and wolves in different parts of this Province.

The House adjourned until to-morrow morning at Ten o'clock.

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*Tuesday 11th. June 1793.*

The Order of the Day being read

Mr. Campbell moved for leave to bring in a Bill to establish a friendly intercourse with the Province of Lower Canada upon a permanent foundation.

Leave was given.

Read the second time

A Bill to authorize Fair Meetings.

House in Committee

Mr. Campbell in the Chair.

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill, and had agreed to the same with amendments

Which Report was accepted.

Ordered, That the said Bill be engrossed.

Read a second time

A Bill to provide for the appointment of Returning Officers for the several Counties within this Province.

House in Committee

Mr. Campbell in the Chair

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into consideration of the said Bill and had agreed to the same

Which report was accepted.

Ordered, That the said Bill be engrossed.

The House adjourned until to-morrow morning at Eleven o'clock.

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*Wednesday 12th. June 1793.*

The Order of the Day being read

the first time

A Bill to encourage the destroying of Wolves and Bears in different parts of this Province.

Read the second time.

A Bill to destroy certain noxious weeds.

House in Committee

Went into consideration of the said Bill

Mr. Spencer in the Chair.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same with amendments

Which Report was accepted.

Ordered, That the said Bill be engrossed.

Read the First time

A Bill for the better regulation of the Militia of this Province.

Read the second time

A Bill to regulate the laying out, amending, and keeping in repair the Public Highways and Roads throughout this Province.

House in Committee

Mr. Smith in the Chair

Went into consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same with amendments

Which Report was accepted and the said Bill being read as amended was agreed to and ordered to be engrossed.

The House adjourned until to-morrow morning at Ten o'clock.

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*Thursday 13th. June 1793.*

The Order of the Day being read

On motion made and seconded

House in Committee

Mr. Spencer in the Chair

Went again into the consideration of the Bill to regulate the laying out, amending and keeping in repair the Public Highways and Roads within the Province; now recommitted.

The Speaker resumed the Chair.

The Chairman reported that the Committee had taken again into consideration the said Bill and had agreed to the same with amendments

Which Report was accepted and the said Bill being read as amended was agreed to and ordered to be engrossed.

Mr. Baby moved for leave to bring in a Bill to amend an Act entitled An Act to regulate the Tolls to be taken in Mills.

Leave was given.

Read as engrossed

A Bill to authorize Town Meetings. Also a Bill to provide for the appointment of Returning Officers for the several Counties within this province.

Ordered, That the said Bills pass and be sent up for concurrence.

Read the second time

A Bill to encourage the destroying of Wolves and Bears in different parts of this province.

House in Committee

Mr. Jones in the Chair

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had directed him to report a progress and requested leave to sit again

Which Report was accepted.

The House adjourned until to-morrow morning at Ten o'clock.

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*Friday 14th. June 1793.*

The Order of the Day being read the second time

A Bill for the better regulation of the Militia of this Province.

House in Committee

Mr. Smith in the Chair

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had directed him to report progress and requested leave to sit again

Which Report was accepted.

Read the First Time

A Bill to establish a friendly intercourse with the Province of Lower Canada upon a permanent foundation.

A Message from Council with a Bill to enable His Majesty's Court of Common Pleas established in and for any part of this Province to compel the attendance of witnesses resident in any other District or Districts thereof.

And also a Bill to confirm and make valid certain marriages heretofore contracted in the Country now comprized within the Province of Upper Canada, and to provide for the future solemnization of marriages within the same.

Mr. Campbell moved for leave to bring in a Bill to provide a fund for paying the wages of the Members of the House of Assembly.

Leave was given accordingly.

Read for the First Time

A Bill to attach the effects and property of Debtors absent from the Province, and a Bill to amend an Act to regulate the Toll to be taken in Mills.

The House adjourned until Monday next at Ten o'clock.

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*Monday 17th. June 1793.*

Prayers.

The Order of the Day being read as engrossed

A Bill to regulate the laying out, amending and keeping in repair the Public Highways and Roads within this Province.

Ordered, That the said Bill pass and be sent up for concurrence.

Also read as engrossed.



A Bill to destroy pernicious weeds.

Ordered, That the said Bill pass and be sent up for concurrence.

Read the second time

A Bill to encourage the destroying of Wolves and Bears in different parts of this Province.

House in Committee

Mr. Van Alstine in the Chair

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same

Which Report was accepted and the said Bill ordered to be engrossed.

Read the second time

A Bill to amend an Act entitled An Act to regulate the Toll to be taken in Mills.

Ordered, That the further consideration of the said Bill be postponed for three months.

Mr. Baby moved for leave to bring in a Bill to relieve the inhabitants of the Western District from the necessity of bolting the grain they grind at their Mills for Toll.

Leave was granted.

Read the First Time.

A Bill to confirm and make valid certain marriages heretofore contracted in the Country now comprised within the Province of Upper Canada, and to provide for the future solemnization of marriages within the same.

And also a Bill to enable His Majesty's Court of Common Pleas to establish in and for any part of this Province to compel the attendance of witnesses in any other District or Districts thereof.

Mr. Swayze moved for leave to bring in a Bill to limit the Jurisdiction of the Courts of Common Pleas.

Leave was given.

On Motion made and seconded

Resolved, That the Speaker do inform W. B. Sheehan, Esquire, Sheriff of this District, that the House entertain a strong sense of the impropriety of his conduct towards a Member of this House in having served a Writ of Capias upon the said Member contrary to his Privilege, and that the House has only dispensed with the necessity of bringing him to their Bar to be further dealt with from a conviction that want of reflection and not contempt made him guilty of an infringement upon the privileges of the House.

House in Committee

Mr. Smith in the Chair.

Resumed the consideration of the Bill for the better regulation of the Militia of this Province.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same with amendments

Which Report was accepted and the said Bill being read as amended was ordered to be engrossed.

The House adjourned until to-morrow morning at Ten o'clock.

*Tuesday 18th. June 1793.*

The Order of the Day being read

The first time as reported by the Committee appointed for that purpose

A Bill to establish a Fund for paying the salaries of the Officers of the Legislative Council and House of Assembly, and for defraying the contingent expenses thereof.

Mr. Spencer moved for leave to bring in a Bill to prevent the further introduction of Slaves, and to limit the term of contracts for servitude within this Province.

Read as engrossed.

A Bill to encourage the destroying of Wolves and Bears in different parts of this Province.

Ordered, That the said Bill pass and be sent up for concurrence.

Read the First Time.

A Bill to relieve the inhabitants of the Western District from the necessity of bolting the grain they grind at their Mills for Toll.

Read the second time

A Bill to establish a friendly intercourse with the Province of Lower Canada upon a permanent foundation.

Ordered to remain committed.

Also a Bill to enable His Majesty's Court of Common Pleas established in and for any part of this Province to compel the attendance of witnesses resident in any other District or Districts thereof was read a second time.

House in Committee

Mr. Smith in the Chair

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill, and had agreed to the same with amendments.

Which Report was accepted and the said Bill being read as amended was agreed to and ordered to be returned to the Legislative Council.

Read the First Time.

A Bill to limit the jurisdiction of the Courts of Common Pleas.

Read the First Time.

A Bill to provide a fund for paying the wages of the Members of the House of Assembly.

Mr. Macomb moved for leave to bring in a Bill to incorporate certain persons therein mentioned into a Society for the encouragement of Arts and Manufactures.

Leave was given.

The House adjourned until to-morrow morning at Ten o'clock.

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*Wednesday 19th. June 1793.*

The Order of the Day being read the Second Time

A Bill to attach the effects and property of the Debtors absent from this Province.

House in Committee

Mr. Smith in the Chair.

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same with amendments.

Which report was accepted, and the said Bill being read as amended was agreed to, and ordered to be engrossed.

Read the Second Time.

A Bill to relieve the inhabitants of the Western District from the necessity of bolting the grain they grind at their Mills for Toll.

Ordered, That the further consideration of the said Bill be postponed for three months.

Read the First Time.

A Bill to prevent the further introduction of Slaves, and to limit the term of Contracts for Servitude within this Province.

Read the Second Time.

A Bill to confirm and make valid certain marriages heretofore contracted in the country now comprized within the Province of Upper Canada, and to provide for the future solemnization of marriage within the same.

House in Committee

Mr. Van Alstine in the Chair

Went into the consideration of the said Bill.

The Speaker resumed the Chair

The Chairman reported that the Committee had gone into the consideration of the said Bill, and had directed him to report a progress, and requested leave to sit again

Which Report was accepted.

The House adjourned until to-morrow morning at Ten o'clock.

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*Thursday 20th. June 1793.*

The Order of the Day being read

House in Committee

Mr. Van Alstine in the Chair

Resumed the consideration of the Bill to confirm and make valid certain Marriages heretofore contracted in the country now comprized within the Province of Upper Canada, and to provide for the future solemnization of Marriages within the same.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same with amendments.

Which Report was accepted, and the said Bill being read as amended was agreed to, and ordered to be sent up for concurrence.

Read as engrossed.

A Bill to attach the effects and property of Debtors absent from the Province.

Ordered, That the said Bill pass and be sent up for concurrence.

Read the First Time.



A Bill to provide for the nomination and appointment of Parish and Town Officers throughout this Province

And a Bill to fix the times and places of holding the General Quarter Sessions of the Peace within the several Districts of this Province.

The House adjourned until to-morrow morning at Eleven o'clock.

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*Friday 21st. June 1793.*

The Order of the Day being read the Second Time

A Bill to fix the times and places of holding the General Quarter Sessions of the Peace within the several Districts of this Province.

House in Committee

Mr. Macomb in the Chair.

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same with amendments.

Which Report was accepted, and the said Bill being read as amended was agreed to and ordered to be engrossed.

A Message from the Council with a Bill to establish a Court of Probate in this Province, and also a Surrogate Court in every District thereof. And also a Bill to encourage the destroying of Wolves and Bears in different parts of this Province, with amendments.

Read the Second time

A Bill to limit the jurisdiction of the Courts of Common Pleas.

Ordered, That the further consideration of the said Bill be postponed for three months.

Read the Second Time

A Bill to provide for the nomination and appointment of Parish and Town Officers throughout this Province.

Ordered, That the said Bill stand committed.

Mr. Jones moved for leave to bring in a Bill to confirm bona fide purchasers of lands any informalities in their deeds.

Leave was given.

House adjourned until to-morrow morning at Ten o'clock.

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*Saturday 22nd. June 1793.*

The Order of the Day being read the First Time

A Bill to authorize and direct the laying and collecting of assessments and rates in every District within this Province, and to provide for the payment of wages to the Members of the House of Assembly.

Read as amended in Council a Bill to encourage the destroying of Wolves and Bears in different parts of this Province.

The House concurred in the amendments and ordered that the said Bill be returned to Council.

Read the Second Time

A Bill to establish a Court of Probate in this Province, and also a Surrogate Court in every District thereof.

House adjourned until Monday next at Ten o'clock.

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*Monday 24th. June 1793.*

Prayers.

The Order of the Day being read as engrossed

A Bill for the better regulation of the Militia of this Province.

Ordered that the said Bill pass and be sent up for concurrence.

Read the Second Time

A Bill to establish a Court of Probate in this Province and also a Surrogate Court in every District.

House in Committee

Mr. Campbell in the Chair

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same.

Which Report was accepted, and the said Bill being read was agreed to, and ordered to be returned to Council.

A Message from Council requesting a conference on the subject of the amendments in the Bill to confirm and make valid certain marriages heretofore contracted in the country now comprized within the Province of Upper Canada, and to provide for the future solemnization of Marriages within the same.

Ordered, That Mr. Macomb, Mr. Campbell, and Major Van Alstine be a Committee to confer with a Committee of Council accordingly.

The House adjourned until to-morrow morning at Ten o'clock.

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*Tuesday 25th. June 1793.*

The Order of the Day being read

The Committee appointed to confer with a Committee of Council on the subject of the Bill to confirm and make valid certain Marriages heretofore contracted in the country now comprized within the Province of Upper Canada, and to provide for the future solemnization of Marriages within the same reported that they had agreed in withdrawing the amendments made therein in this House

Which Report was accepted.

House in Committee

Mr. Spencer in the Chair

Went into the consideration of the Bill to prevent the further introduction of Slaves and to limit the term of contract for servitude within this Province.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same

Which Report was accepted.

Ordered, That the said Bill be engrossed.

House in Committee

Mr. Spencer in the Chair.

Went into the consideration of the Bill to authorize and direct the laying and collecting of assessments and rates in every District of this Province and to provide for the payment of wages to the Members of the House of Assembly.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same

Which Report was accepted.

Ordered, That the said Bill be engrossed.

Read the Second Time

A Bill to provide for the nomination and appointment of Parish and Town Officers throughout this Province.

House in Committee

Mr. Jones in the Chair

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same.

Which Report was accepted and ordered that the said Bill be engrossed.

The House adjourned until to-morrow morning at Ten o'clock.

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*Wednesday 26th. June 1793.*

The Order of the Day being read

Read as engrossed

A Bill to prevent the further introduction of Slaves, and to limit the term of contract for servitude within this Province.

Ordered, That the said Bill pass and be sent up for concurrence.

A Message from Council with a Bill to regulate the laying out, amending and keeping in repair the Public Highways and Roads within this Province—with amendments

Which Bill being read as amended

Ordered, That Mr. Jones, Mr. Macomb, and Mr. Campbell be a Committee to request a Conference with a Committee of the Council respecting the amendments of the said Bill, and to confer thereupon.

The House adjourned until to-morrow morning at Eleven o'clock.

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*Thursday 27th. June 1793.*

The Order of the Day being read

Read as engrossed

A Bill to provide for the nomination and appointment of Parish and Town Officers throughout this Province



Ordered, That the said Bill pass and be sent up for concurrence.

Ordered, That Mr. Smith and Mr. White be a Committee to bring in speedily Bills for laying a duty of Excise on distilled liquors brought into this Province, and on Wines.

The House adjourned until to-morrow morning at Eleven o'clock.

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*Friday 28th. June 1793.*

The Order of the Day being read

Read for the First Time as brought in by the Committee appointed for that Purpose

A Bill laying a duty of Excise on distilled liquors brought into this Province.

The House adjourned until Monday morning at Ten o'clock.

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*Monday 1st. July 1793.*

Prayers.

The Order of the Day being read

Read as engrossed

A Bill to fix the times and places of holding the General Quarter Sessions of the Peace within the several Districts of this Province.

Ordered, That the said Bill pass and be sent up for concurrence.

Read the First Time as brought in by the Committee appointed for that purpose

A Bill to establish a Fund for paying the salaries of the Officers of the Legislative Council and House of Assembly, and for defraying the contingent expenses thereof.

Read the Second Time

A Bill for laying a duty of excise on distilled liquors brought into this Province.

House in Committee

Mr. Macomb in the Chair

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same

Ordered, That the said Bill be engrossed.

Which Report was accepted.

Read the Second time

A Bill to establish a fund for paying the salaries of the officers of the Legislative Council and House of Assembly, and for defraying the contingent expenses thereof.

House in Committee

Mr. Macomb in the Chair.

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and agreed to the same

Which Report was accepted.

Ordered, That the said Bill be engrossed.

The House adjourned until to-morrow morning at Ten o'clock.

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*Tuesday 2nd. July 1793.*

The Order of the day being read

Read as engrossed

A Bill for laying a duty of excise on distilled liquors brought into this Province

And a Bill to establish a fund for paying the salaries of the Officers of the Legislative Council and House of Assembly, and for defraying the contingent expenses thereof.

Ordered, That the said Bills pass and be sent up for concurrence.

The Committee appointed to confer with a Committee of Council on the subject of the amendments in the Bill "To regulate the laying out, amending and keeping in repair the Public Highways and Roads within this Province" reported that they had concurred in the amendments.

And said Bill being read as amended was agreed to and ordered to be returned to Council.

A Message from Council with a Bill to prevent the further introduction of Slaves, and to limit the term of contracts for servitude within this Province with amendments.

Also a Bill for the better regulation of the Militia of this Province, with amendments

And also a Bill to provide for the nomination and appointment of Parish and Town Officers within this Province.

Read as amended

A Bill to prevent the further introduction of Slaves, and to limit the term of contracts for servitude within this Province

And a Bill to provide for the nomination and appointment of Parish and Town Officers within this Province.

The House concurred in the amendments and ordered that the said Bills be returned to Council.

House in Committee

Mr. Speaker in the Chair

Went into the consideration of the Bill to establish a friendly intercourse with the Province of Lower Canada upon a permanent foundation.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same under the title of "A Bill to authorize the Lieutenant Governor to nominate and appoint certain Commissioners for the purposes herein mentioned, with amendments.

And the said Bill being read as amended was agreed to and ordered to be engrossed.

The House adjourned until Thursday next at Ten o'clock.

*Thursday 4th. July 1793.*

Prayers.

The Order of the Day being read

Read as amended in Council

A Bill for the better regulation of the Militia of this Province.

House in Committee

Mr. Spencer in the Chair

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had not concurred in the amendments

Which Report was accepted.

Ordered, That Mr. Campbell, Mr. French and Mr. Pawling be a Committee to request a conference with a Committee of Council, and to confer with them in respect of the said amendments.

Read as engrossed

A Bill to authorize the Lieutenant Governor to nominate and appoint certain Commissioners for the purposes herein mentioned.

Ordered, That the said Bill pass and be sent up for concurrence.

Read as engrossed

A Bill to authorize and direct the laying of assessments and rates in every District of this Province and to provide for the payment of wages to the Members of the House of Assembly.

Ordered, That the said Bill pass and be sent up for concurrence.

Read the First Time

A Bill to establish a further fund for the payment of salaries of the Officers of the Legislative Council and Assembly, and for defraying the contingent expenses.

The House adjourned until to-morrow at Twelve o'clock.

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*Friday 5th. July 1793.*

The Order of the Day being read

The Committee appointed to confer with a Committee of Council respecting the amendments of the Bill for the better regulation of the Militia of this Province reported that the Committee of Council had concurred with them in making the necessary alterations in the amendments.

And the said Bill being read as so amended was agreed to and ordered to be returned to Council.

Read the Second Time.

A Bill to establish a further fund for the payment of the salaries of the Officers of the Legislative Council and Assembly, and for defraying the contingent expenses thereof.

House in Committee

Mr. Spencer in the Chair.

Went into the consideration of the said Bill.

The Speaker resumed the Chair.



The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same

Which Report was accepted.

Ordered, That the said Bill be engrossed.

A Message from the Council with a Bill to fix the times and places of holding the General Sessions of the Peace within the several Districts of this Province.

And the said Bill being read as amended the House concurred in the amendments and ordered the said Bill to be returned to Council.

The House adjourned until to-morrow morning at Eleven o'clock.

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*Saturday 6th. July 1793.*

Prayers.

The Order of the Day being read

A Bill to establish a further fund for paying the salaries of the Officers of the Legislative Council and Assembly, and for defraying the contingent expenses thereof was

Read as engrossed.

Ordered, That the said Bill pass and be sent up for concurrence.

A Message from Council with a Bill to establish a fund for paying the salaries of the Officers of the Legislative Council and Assembly, and for defraying the contingent expenses thereof—with amendments,

Which Bill being read the House concurred in the amendments and ordered the said Bill to be returned to Council.

A Message from Council informing that they had appointed a Committee to meet in conference a Committee from the House to consider an Address to His Majesty.

Ordered, That Mr. White and Mr. Macomb be a Committee accordingly, and do report a draught of an Address.

A Message from Council with a Bill to authorize and direct the laying and collecting of assessments and rates in every District of this Province, and to provide for the payment of wages to the Members of the House of Assembly—with amendments.

Which Bill being read the House concurred in the amendments and ordered the Bill to be returned to Council.

A Message from Council with a Bill to establish a further fund for the payment of the salaries of the Officers of the Legislative Council and Assembly and for defraying the contingent expenses thereof—with amendments

Which Bill being read the House concurred in the amendments and ordered the said Bill to be returned to the Council.

The House adjourned until Monday next at Ten o'clock.

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*Monday 8th. July 1793.*

Prayers.

The Order of the Day being read

The Committee appointed to go into the conference with a Committee of Council to consider of an Address to His Majesty reported that they had conferred accordingly, and reported the draught of an Address in consequence. They

likewise informed that His Excellency would be pleased to receive the House with the said Address at one o'clock this day and transmit the same to His Majesty

Which Report was accepted, and the said draught being read was agreed to and ordered to be engrossed and signed by the Speaker.

Resolved, That it be inserted upon the Records of this House that the Speaker shall be allowed as the principal Officer of the House a salary proportionate to his situation, to commence and date from his first departure from home to attend the first Session of the present General Assembly.

The House waited upon His Excellency with their address to His Majesty, and which is as follows  
to wit:—

To the King's Most Excellent Majesty,

The Humble Address of the House of Assembly of the Province of Upper Canada, in Legislature assembled.

Most Gracious Sovereign:—

We Your Majesty's Most Dutiful and Loyal Subjects, the House of Assembly of the Province of Upper Canada, in Legislature assembled, approach your Throne with Gratitude and Affection.

In this remote but flourishing part of Your Majesty's Dominions, where we have found shelter by Your Majesty's paternal care and tenderness, the fame of those tumults and disorders that live in Europe hath but lately arrived, but conceiving that at a period so important it is the duty of all good men and faithful subjects to manifest themselves to their King and Country we beg leave to lay before Your Majesty our loyalty and love, and if it should be necessary at any time to add to our tried zeal and affection we assure Your Majesty that no exertions on our part shall be found wanting to convince our fellow subjects that the foremost rank is our station among those who stand forth for the protection and defence of their King and Country.

We cannot revert to the sacrilegious murder in France without horror and abhorrence of the men and principles that have effected it, but as a work of evil sometimes produces good we cherish the hope that a conduct so baneful to every precept of Religion and Law will serve to rivet the loyalty and attachment of our fellow subjects as it has ours to the best of Kings and of Constitutions the most excellent.

The House adjourned until to-morrow morning at Ten o'clock.

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*Tuesday 9th. July 1793.*

The Order of the Day being read

Resolved, That His Excellency the Lieutenant Governor be requested through the Speaker to grant a loan to this House for the purpose of paying the salaries of the Officers and other contingent expenses that shall respectively be certified to under the hand and seal of the Speaker to His Majesty's Receiver General or other person appointed by His Excellency to issue such loan, the Speaker keeping minutes of every certificate by him so vouched in order to submit the same to the consideration of the House in the next Session thereof.

Resolved, That should the funds provided this Session prove insufficient to reimburse His Excellency in the amount of the said loan that this House will be

responsible to make provision during the next session thereof for making good the deficiency.

A Message from His Excellency the Lieutenant Governor desiring the attendance of the House in the Council Chamber.

The House having attended accordingly His Excellency was pleased to give his assent to the following Acts— to wit

An Act for the better regulation of the Militia of this Province.

An Act to establish a Court of Probate in this Province, and also a Surrogate Court in every District thereof.

An Act to confirm and make valid certain Marriages heretofore contracted in the country now comprized within the Province of Upper Canada, and to provide for the future solemnization of Marriages within the same.

An Act to provide for the appointment of Returning Officers for the several Counties within this Province.

An Act to encourage the destroying of Wolves and Bears in different parts of this Province.

An Act to regulate the laying out, amending and keeping in repair the Public Highways and Roads within this Province.

An Act to prevent the further introduction of Slaves, and to limit the term of contracts for servitude within this Province.

An Act to provide for the nomination and appointment of Parish and Town Officers throughout this Province.

An Act to fix the times and places of holding the General Quarter Sessions of the Peace within the several Districts of this Province.

An Act to establish a fund for paying the salaries of the Officers of the Legislative Council and House of Assembly, and for defraying the contingent expenses thereof.

An Act to authorize the Lieutenant Governor to nominate and appoint certain Commissioners for the purpose herein mentioned.

An Act to authorize and direct the laying and collecting of assessments and rates in every District of the Provinces, and to provide for the payment of wages to the Members of the House of Assembly.

An Act to establish a further fund for the payment of the salaries of the Officers of the Legislative Council and Assembly, and for defraying the contingent expenses thereof.

After which His Excellency was pleased to make the following Speech to both Houses.

Gentlemen :—

It gives me great satisfaction that by your unremitting diligence the Public Business of the Session has been so far transacted that I am enabled to consult your personal convenience and to dismiss you at an early period to your respective residences.

It is with pleasure I perceive that agreeably to my recommendation you have modelled a Militia Bill, and have provided such salutary Laws as are suitable to the present condition of the Province.

The Act for the gradual abolition of Slavery in this Colony which it has been thought expedient to frame in no respect meets from me a more cheerful concurrence than in that provision which repeals the power heretofore held by the Executive Branch of the Constitution and precludes it from giving sanction to the importation of Slaves, and I cannot but anticipate with singular pleasure that such persons as may be in that unhappy condition which sound policy and



humanity unite to condemn, added to their own protection from all undue severity by the Law of the land, may henceforth look forward with certainty to the emancipation of their offspring.

Honorable Gentlemen—and Gentlemen,

Should the necessity of any further provision or amendments of the Ordinances of the late Province of Quebec attract your notice during the recess I doubt not but in the next Session by carrying such improvements into execution you will exemplify that distinguishing excellence in the British Constitution of which we daily experience the benefit and which has been transmitted to us by our ancestors as the firmest security of the Public Prosperity.

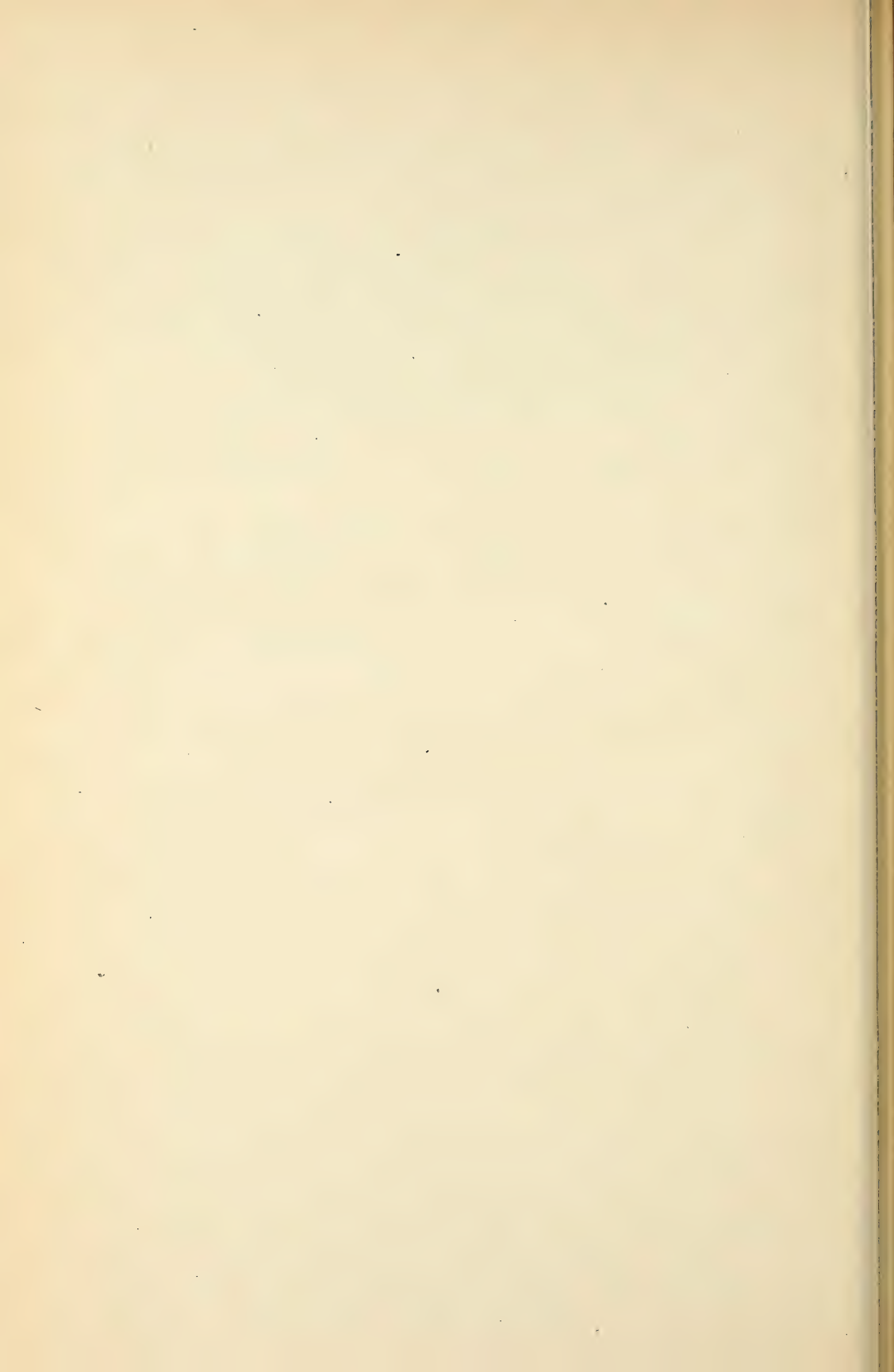
And then the Honorable Speaker of the Executive Council by His Excellency's command declared the General Assembly prorogued until the 26th. day of September next.

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[Certified to be a  
True Copy of the  
Journals of the  
House of Assembly  
of the Province of  
Upper Canada in  
1793.

(Signed)

George Mayer  
Librarian and Keeper  
of the Records.]



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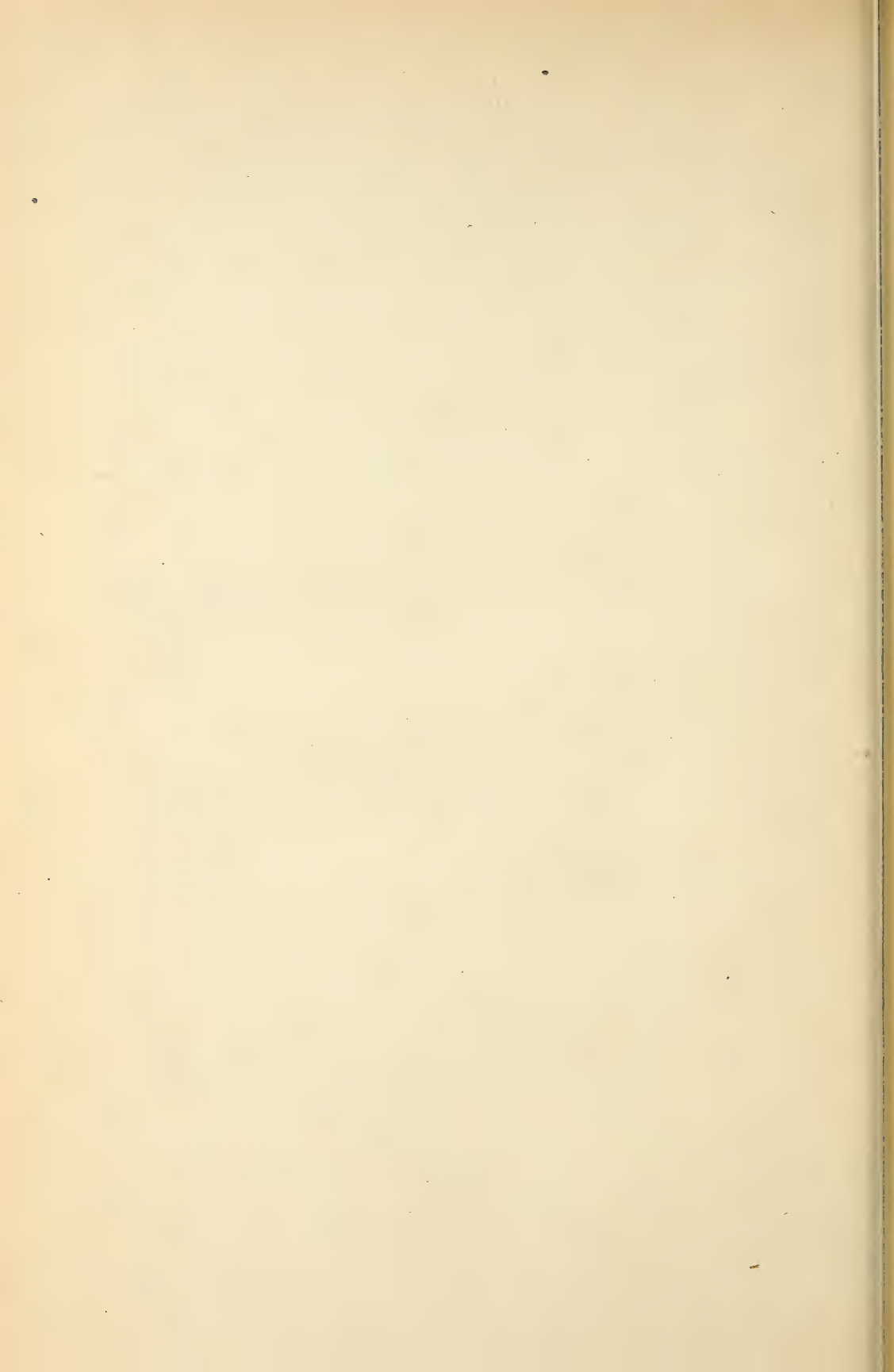
Proceedings  
OF THE  
HOUSE OF ASSEMBLY  
OF THE  
Province of Upper Canada  
1794\*

[\*Being a fragment recovered in the Crown Lands Department of the Province of Ontario,  
and the only known copy in existence.—A.F.]

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Proceedings  
OF THE  
HOUSE OF ASSEMBLY

OF THE  
Province of Upper Canada,  
1794.

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Holden at Newark on the 2d day of June in the Thirty-fourth year of the Reign of Our Sovereign Lord George the Third King of Great Britain &c. &c. being the Third Session of the first meeting of the Legislature.

House met according to Proclamation.

Prayers.

A Message from His Ex'y the Lt. Gr. desiring the attendance of the House in the Council Chamber.

The House attended accordingly.

When His Ex'y was pleased to make the following speech, Viz.

Honble G. and Gentlemen, &c. (In the Gazette).

The House having returned, formed: when,

The Speaker read his Ex'y's speech.

Went into the consideration of His Ex'y's speech.

Ordered, that Mr. Smith, Mr. Jones & Mr. Spencer be a committee to prepare an address of thanks thereto.

Ordered that Mr. White, Mr. Terry, Mr. Swayzé, Mr. Pawling, Mr. Booth & Mr. H. MacDonell do wait on His Ex'y to know when it will be his pleasure to receive the same.

Read by order the first time.

A Bill for accounting to His Majesty for all fines, forfeitures and penalties hitherto reserved to His Majesty to and for the uses of this Province.

House adjourned till to-morrow at 11 o'clock.

*Tuesday 3'd of June 1794.*

The order of the day being read.

The Committee appointed to draw up an address of thanks reported that they had prepared one accordingly: which being read was approved.

The Committee appointed to wait on His Excellency, reported that they had waited on him accordingly, and that His Excellency . . . . wo'd receive the House at Eleven o'clock to-morrow.

Read a 2d time.

A Bill to provide for the accounting to His Majesty for all fines (as before).  
House in Committee.

Mr. Spencer in the Chair.

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same.

Which report was accepted, and the said Bill ordered to be engrossed.

Mr. Smith moved for leave to regulate the practice of Physic in this Province; leave granted accordingly.

House adjourned till to-morrow at 1/2 past ten o'clock.

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*Wednesday 4th. of June 1794.*

The order of the day being read:—

Read as prepared the address of thanks to His Ex'y, and being signed by the Speaker.

The House waited on His Ex'y with the same. The speech is to be found in the Gazette.

To which His Ex'y was pleased to answer as follows (vide the Gazette).

The House having returned, on motion of Mr. Jones adjourned till to-morrow at 11 o'clock.

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*Thursday 5th. of June 1794.*

The order of the day being read,

Read, the first time, a Bill to regulate the Practice of Physic in this Province.

On motion, ordered that the same be read a second time, to-morrow.

Read the first time.

A Bill intituled an Act to oblige persons about to leave the province in debt to a certain amount to take out a pass previous to their leaving the same. On motion,

Ordered that the same be read a second time on Saturday.

Mr. Spencer moved that,

This House do resolve itself into a Committee on Monday next to consider of the ways and means of increasing the revenue, in the province; and that the persons now employed in collecting the same be directed to send their accounts to the Clerk of the House by that time.

Ordered accordingly.

House adjourned till to-morrow at 10 o'clock.

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*Friday 6th. June 1794.*

The order of the day be read,

Read as engrossed a Bill for the accounting to His Majesty for all fines (as before).

The question being put,

Shall this Bill pass?



Resolved in the affirmative, and ordered to be sent to the Council for concurrence.

Read a second time,

"A Bill to regulate the Practice of Physic in this Province"

House in Committee,

Mr. Spencer in the Chair.

Went into the consideration of the said Bill;

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill, and had agreed to the same with amendments; and,

The said Bill being read as amended, was agreed to, and

Ordered to be engrossed.

On motion, ordered to be read a third time to-morrow.

The House adjourned till to-morrow at 11 o'clock.

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*Saturday June 7th, 1794.*

The order of the day being read,

Read as engrossed a "Bill to regulate the practice of physic and surgery within this Province."

The question being put,

"Shall this Bill pass?"

Resolved in the affirmative: and ordered to be sent to the Council for concurrence.

Read the second time

A Bill, to oblige persons about to leave the Province in debt to ascertain amount &c. &c. (as before).

On motion, Ordered that the same be taken into the consideration of a Committee to-morrow.

Mr. Pawling moved for leave to bring in a Bill to regulate the manner of granting licenses to Public Houses.

Granted accordingly.

The House adjourned until Monday morning at Ten o'clock.

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*Monday 9th. June 1794.*

Prayers.

The order of the day being read,

The House went into Committee.

Mr. Spencer in the Chair.

Went into the consideration of the Revenues of the Province.

The Speaker resumed the Chair.

The Chairman reported,

That the further consideration of the Revenues was postponed till Mr. Jarvis could send in His Accounts of the monies received by means of the additional duty granted the preceding year on Licenses and then,

Requested leave to sit again,

Which report was accepted.

House in Committee.

Went into the consideration of the Bill to oblige persons about to leave the Province &c. &c. (as before).

The Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into the consideration of the said Bill, and had agreed to the same with amendments,

Which report was accepted.

Ordered that the same be engrossed.

On motion ordered that this Bill be read a third time to-morrow.

Read the first time a Bill to regulate the manner of granting Licenses to Public Houses.

The House adjourned until ten o'clock to-morrow.

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*Tuesday June 10, 1794.*

The order of the day being read,

Read as engrossed,

A Bill to oblige persons about to leave the Province &c. (as before).

The question being put,

"Shall this Bill pass?"

Ordered to be sent to the Council for concurrence.

Read the second time.

A Bill "to regulate the manner of granting licenses to public Houses."

House in Committee.

Mr. Jones in the Chair.

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported progress & requested leave to sit again, which report was accepted.

On the motion of Mr. Smith,

Ordered that Mr. Spencer, Mr. Jones, Mr. Smith, Mr. H. Macdonell & Mr. Booth be a select committee to examine the several documents and amounts respecting the Revenues, sent agreeably to the order of the House and report thereon.

House adjourned till to-morrow at 12 o'clock.

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*Wednesday, 11th June 1794.*

The Speaker having taken the Chair,

Mr. Spencer moved for leave to bring in a Bill to repeal and amend certain parts of an Act passed in the 33d year of His Majesty's reign "Intituled an act to regulate and amend the Highway."

Leave granted.

Mr. Campbell moved for leave to bring in a Bill to explain and amend an act passed in the 33d year of His Majesty's Reign, Intituled an Act to authorize and direct the laying and collecting of assessments and Rates in every district within this Province."

Leave being given,

The House adjourned for one hour,

Two o'clock.

The House met and the Speaker resumed the Chair.

The Chairman of the select Committee reported, that, in obedience to the orders of the House, they had examined the said document and reports sent in by the several agents appointed to collect & receive the Revenues, and had stated their report in the paper then delivered.

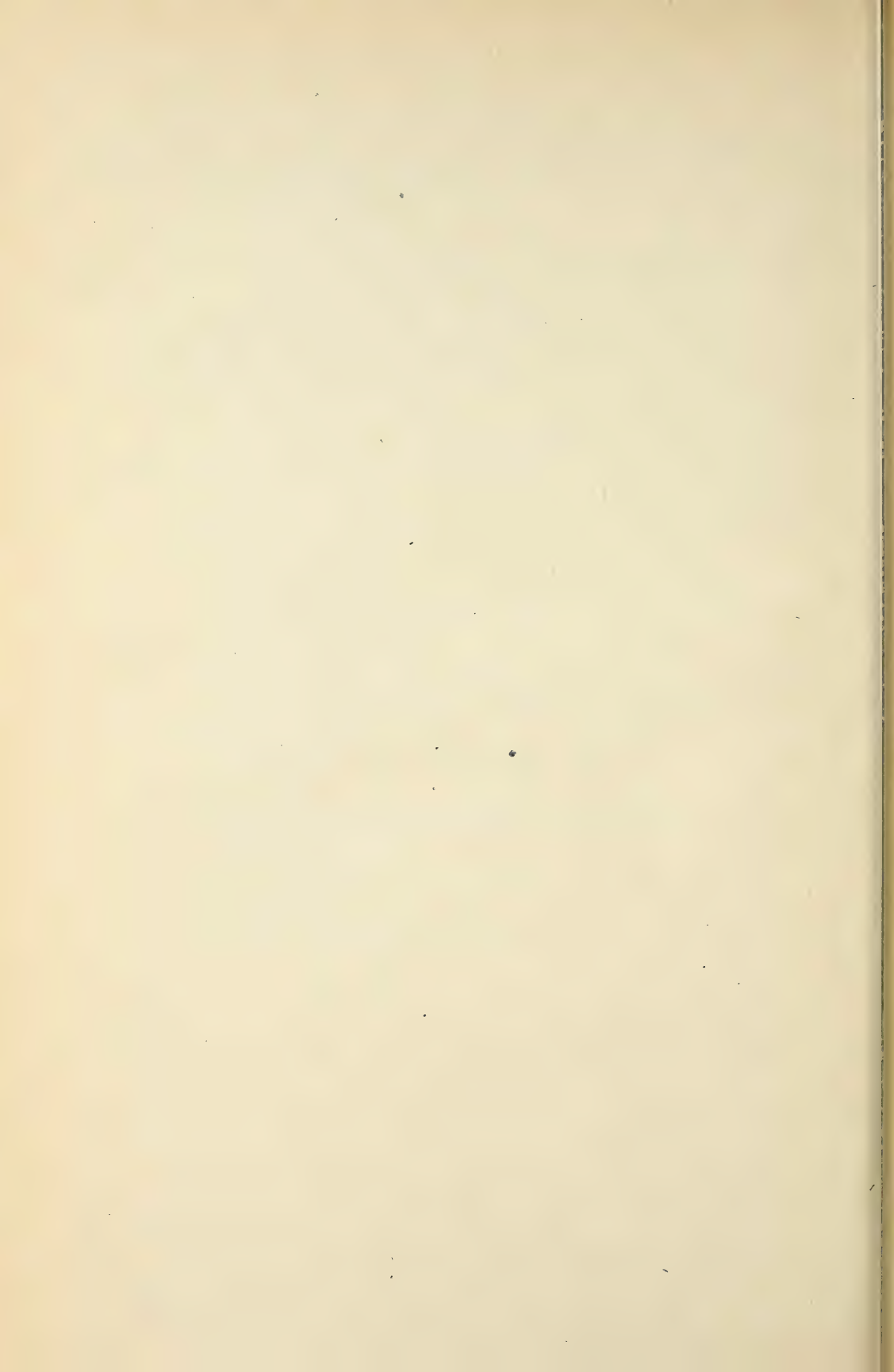
Which report was accepted, and

The House resolved itself into Committee.

Mr. Swayzé in the Chair. When the Report of the select Committee was read as follows, to wit,

(Here insert the Report and the several forms.)





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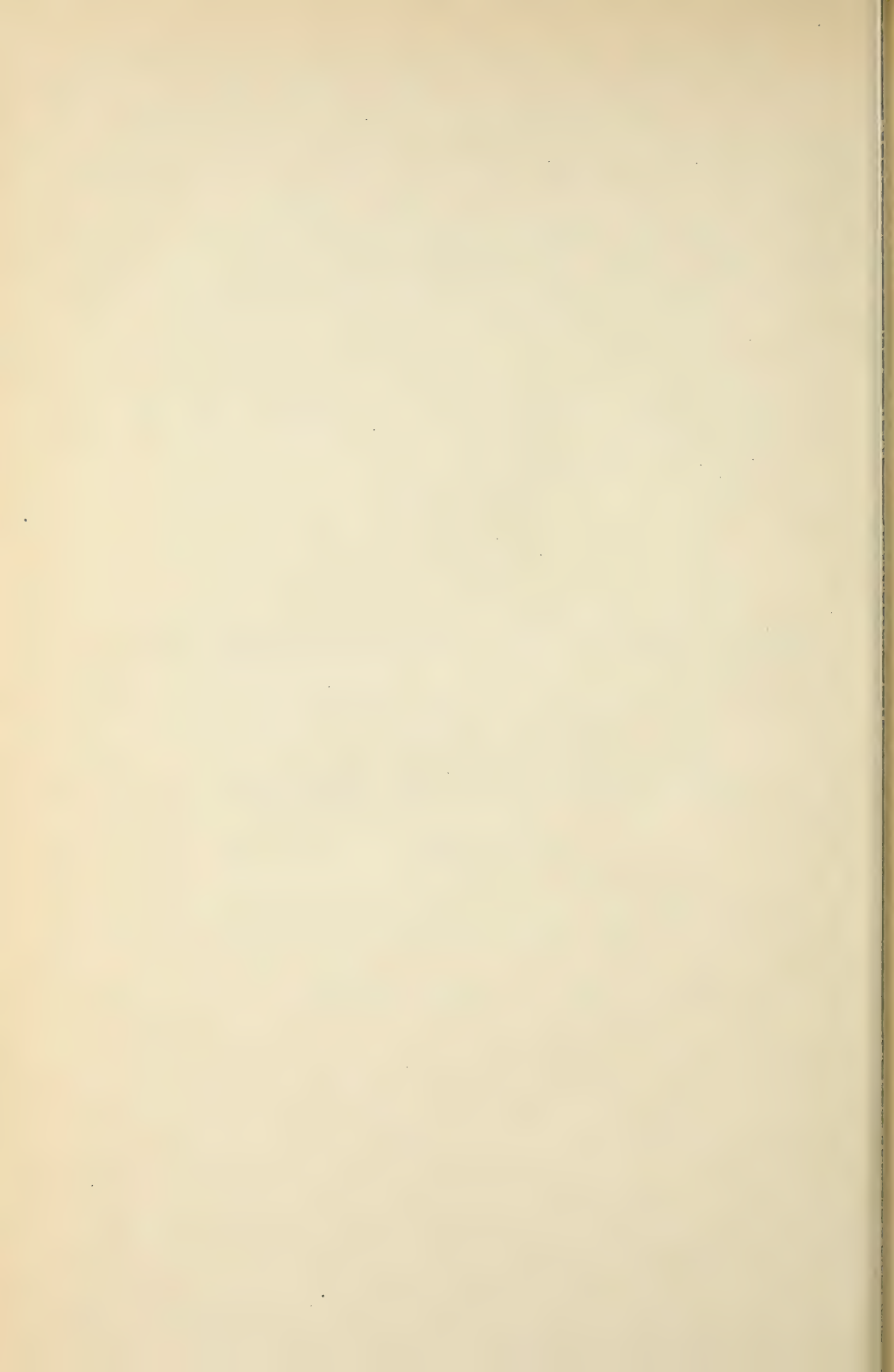
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Journal  
OF THE  
HOUSE OF ASSEMBLY  
OF THE  
Province of Upper Canada  
1798

NOTE:—The Journals for the years 1795, 1796 and 1797 are not known to be in existence.

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Journal  
OF THE  
HOUSE OF ASSEMBLY  
OF THE  
Province of Upper Canada,  
1798.

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At the second session of the Second Parliament of the Province of Upper Canada begun and held in the Town of York on the Fifth day of June in the Thirty Eighth Year of Our Sovereign Lord George the Third of Great Britain, France and Ireland, King, Defender of the Faith and so forth and in the Year of Our Lord One Thousand Seven Hundred and Ninety Eight.

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York, Tuesday 5th. June 1798.

The House met agreeable to Proclamation but there attended not a sufficient number of Members thereof to form a Quorum.

A Message from His Honour the President commanding the attendance of the House in the Upper House of Parliament.

And the House having attended there accordingly His Honor was pleased to make the following speech to both Houses.

Honorable Gentlemen of the Legislative Council and Gentlemen of the House of Assembly:—

I called you together at an early period this year in the hope that you may be able to finish the business of the Session before the commencement of your approaching harvest.

Agreeable to the powers with which I was vested by an Act of the last Session Commissioners have been appointed for the purpose of arranging a provisional agreement with Lower Canada, and they will proceed with the object of their mission as soon as Official information arrives of Commissioners having been appointed to meet them on the part of that Province. In the exercise of the authority given me at the same time by another Act I did not think it expedient to suspend the operation of other parts of the Ordinances relative to Commercial intercourse between the United States and this Province than of such as related to the registering of vessels. You may consequently judge proper to digest such further regulations for carrying that intercourse into effect as may appear to you to be necessary and consistent with the reciprocal interests naturally subsisting between the two Provinces of Upper and Lower Canada.

Honorable Gentlemen—and Gentlemen,

I have directed to be laid before you the Reports sent me by the Inspector stationed at the Coteau-Du-Lac of the dutiable articles which have passed that Port upwards in the course of the last year; you will also receive at the same time an account of the provincial Revenues which have been paid into your Treasurer's hands since your last meeting, with their application.

Honorable Gentlemen—and Gentlemen,

I lament that I have no favourable intelligence to communicate to you respecting the approach of peace, and that not having received any late dispatches from the Secretary of State I am equally unable to announce to you the Royal pleasure on your Address to His Majesty and the two unconfirmed Acts of your last Session which I transmitted home immediately after.

York having been selected for the Capital of the Province it will appear of course to you to be expedient that it should be made the capital also of a District. I submit to you therefore the propriety of dividing the home into two separate Districts. You may probably at the same time take into your consideration the expediency of revising and altering the boundaries of some of the other Districts.

The House being returned and there being no Quorum Mr. Speaker adjourned the House until to-morrow.

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*Wednesday 6th. June 1798.*

Prayers having been read

His Honor the President's Speech was read by Mr. Speaker.

Mr. Rogers seconded by Mr. Beasley moved that every day immediately after Mr. Speaker shall have taken the Chair the minutes of the proceedings of the preceding day shall be read by the Clerk to the end that any mistake therein may be corrected by the House. And it was ordered accordingly.

On the Motion of Mr. Solicitor General seconded by Mr. Fraser the House resolved itself into Committee, Mr. Solicitor General in the Chair.

The Committee went into the consideration of His Honor the President's Speech and of the draught of an Address in answer thereto.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of His Honor's Speech and had directed him to report the draught of an Address in answer thereto.

Which report was accepted, and the said draught being read was agreed to and ordered to be engrossed.

Ordered, That Mr. Solicitor General, Mr. Jones, and Mr. Rogers be a Committee to wait upon His Honor the President to know when he will be pleased to receive the House with their Address.

Which Committee being returned reported that they had waited upon His Honor accordingly and that he had been pleased to inform them that he is ready to receive the House with their Address immediately.

Mr. Speaker read as engrossed the Address of the House in answer to His Honor's Speech in the following words—to wit

To His Honor Peter Russell Esq.  
President administering the Gov-  
ernment of His Majesty's Provin-  
ce of Upper Canada &c. &c. &c.

May it Please Your Honor:—

We His Majesty's most dutiful and loyal subjects the Commons House of the Assembly of Upper Canada in Parliament met beg leave to return Your Honor the thanks of this House for Your Honor's Speech.

We acknowledge our obligation to Your Honor for calling us together at this season of the year certainly the most favorable for our several occupations during the present state of the roads and other communications, and for providing so suitable a house for our temporary reception.

We trust that the new Commissioners will provide a system for the future arrangements between Upper and Lower Canada upon a basis which shall be reciprocal to the interests which ought naturally to subsist between the two Provinces; we therefore observe with pleasure that the sister Colony has directed the Inspector at the Coteau-Du-Lac to continue to you his reports of the dutiable articles which have passed that Port upwards in the course of the last year.

We lament with your Honor that there is so little appearance of the approach of Peace, and cannot omit (considering the circumstances of the other countries) to return thanks to the great Director of all things for the tranquility which this infant Colony has experienced.

We perceive forcibly the good which must result to His Majesty's Courts and Departments, as well as to all classes of people, by the fixing and making known some certain plan for the Seat of Government, and we readily see the necessity of the Home District being divided, and of York being made the Capital of a new District. We shall therefore endeavour to effect so desirable a purpose, and should we see the necessity of other alterations during our deliberations we shall take advantage of them for the Public Good and the convenience of His Majesty's subjects.

Which Address was accepted, and the same was accordingly signed by Mr. Speaker.

The House waited upon His Honor with their Address, to which His Honor was pleased to make the following reply.

Gentlemen of the House of Assembly:—

I return thanks for this Address, and am happy that my endeavours to accommodate your convenience meet your approbation.

The House being returned Mr. Speaker read His Honor's reply to the Address of the House, which was ordered to be entered upon the Journal.

On the motion of Mr. Beasley seconded by Mr. Jones

Ordered, That there be a call of this House on the ninth day of June inst. and that the Clerk of the House be instructed to write to the absent Members directing their attendance in the name of the House on that day.

On motion of Mr. Rogers seconded by Mr. Beasley

Ordered, That the Clerk of the House be directed to lay on the Table for the use of the Members a copy of all the rules adopted by the House of Assembly to be certified by his signing the same.

On the motion of Mr. Rogers duly seconded the House adjourned until Ten of the clock to-morrow.



*Thursday 7th. June 1798.*

Prayers being read

Read the minutes of the proceedings of yesterday.

Mr. Speaker read a letter from Captain Wilkinson accounting for his not attending his service in Parliament and praying to be therefore excused.

Mr. Speaker laid on the Table a letter received from Gideon Tiffany, claiming some arrears due to him for printing the Acts of the Provincial Parliament.

Mr. Solicitor General moved that the Clerk of the House do write to the Secretary of the Province directing him to prepare his accounts in order that they may be laid before the House as soon as possible for their consideration, which being duly seconded by the Whole House was ordered accordingly.

Mr. Rogers moved for leave to bring in a Bill for the better payment of Members of the House of Assembly, on to-morrow which being duly seconded leave was given.

On motion of Mr. Beasley duly seconded the House adjourned.

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*Friday 8th. June 1798.*

Prayers being read

On the motion of Mr. Rogers duly seconded

Resolved, That it is one of the Standing Privileges of this House to be at all times cleared.

Mr. Beasley moved for leave to bring in to-morrow a Bill to regulate the salmon fishery for the Township of York, and being duly seconded leave was given accordingly.

The Standing Rules of the House up to the 3rd. of June 1793 were read by Mr. Speaker.

The Order of the Day being read

Mr. Rogers brought in the Bill to remedy the inconveniences arising from the present method of levying supplies to defray the expenses of Members of the House of Assembly pursuant to leave given to him therefor yesterday, and the same was read the first time accordingly.

Ordered, That the said Bill be read a second time to-morrow.

On motion of Mr. Rogers seconded by Mr. Solicitor General the House adjourned.

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*Saturday 9th. June 1798.*

Prayers being read

The minutes of the Proceedings of yesterday were read.

Mr. Speaker read the Standing Rules of the House up to the 22nd. July 1795.

Mr. Street moved for leave to bring in on Monday next a Bill for the more uniform laying of assessments, and being seconded by Mr. Rogers leave was given accordingly.

The Order of the Day being read

The House was called over, whereof the following Members were absent. Christopher Robinson, Timothy Thompson, Richard Wilkinson, John Macdonell, Thomas Smith, Thomas McKee, Esquires.

Which absentees were called a second time severally by name, and likewise a third time without that they or any of them appeared.

Mr. Rogers seconded by Mr. Street moved that Christopher Robinson Esquire, one of the absentee members having duly attended his duty in Parliament and being now confined to his room in this Town by illness, the House do excuse his attendance for the day, and thereupon the question having been put the same was unanimously carried with affirmative.

Mr. Street seconded by Mr. Beasley moved that Mr. Hardison be excused for not attending, by reason of his want of health, and by the probability that he has arrived in town this day to take his seat if recovered from his late indisposition, and the question being put that the House do receive such excuse as sufficient the same was carried in the affirmative.

On Motion of Mr. Solicitor General seconded by Mr. Fraser.

Ordered, That Colonel John Macdonell do stand excused for his non attendance by reason of indisposition and of the strong probability of his arrival to take his seat in the course of the day should the state of his health permit it.

On Motion of Mr. Beasley seconded by Mr. Jones

Ordered, That the House do resolve itself into Committee on Monday next in order to take into consideration and adopt proper measures for compelling the attendance of members thereof.

Read the second time

A Bill to remedy the inconveniences arising from the present method of levying supplies to defray the expenses of the Members of the House of Assembly.

On motion of Mr. Rogers duly seconded that the said Bill be now committed. House in Committee, Mr. Jones in the Chair.

Went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had directed him to report a progress and to request leave to sit again.

Which Report was accepted and leave was given accordingly.

Colonel John Macdonell attending to take his seat as a Member of this House, His Majesty's Commission of *Dedimus Potestatem* authorizing Angus Macdonell Clerk of this House to administer to the Members returned to sit therein the Oath by Law prescribed in that respect was read, which Oath having been taken and subscribed by Colonel John Macdonell he took his seat in the House accordingly.

On motion of Mr. Rogers seconded by Colonel Macdonell.

Ordered, That after the Speaker shall have taken the Chair no member shall leave the House until it be adjourned without the Speaker's permission.

Mr. Beasley brought in the Bill to regulate the Salmon Fishery for the Township of York under the title of a Bill for the better preservation of Salmon and the same was read the first time and ordered to be read a second time on Monday next.

On Motion of Mr. Rogers that the House do now go into Committee to resume the consideration of the Bill to remedy the inconveniences arising from the present method of raising supplies to defray the expenses of the Members of the House of Assembly—seconded by Mr. Beasley

The House went into Committee accordingly.

Mr. Jones in the Chair.

The Committee resumed the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported the said Bill with amendments, which Report was accepted and the amendments were agreed to.

On the motion of Mr. Rogers seconded by Mr. Beasley

Ordered, That the said Bill be engrossed and read a third time on Monday next.

Mr. Speaker addressed the House in the following words—to wit

Gentlemen of the House of Assembly:—

As you have done me the honour to call me to the Chair of this House I feel it a duty I owe to the recollection of the services of Colonel Macdonell to move you that in order to mark the sense I entertain of his former situation as Speaker a place be considered as appropriate to him during the present Session being the first next to the Chair on the right hand.

To which recommendation the House unanimously agreed, and it was ordered accordingly.

On the motion of Mr. Solicitor General seconded by Mr. Street the House adjourned until Monday next.

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*Monday 11th. June 1798.*

Prayers having been read

The minutes of the proceedings of last Saturday were read.

Mr. Speaker then read to the House the Standing Rules thereof up to this day.

The Order of the Day being read Mr. Street brought in the Bill for more uniform laying of assessments throughout this Province, and the same was read the first time.

Mr. Beasley moved that the said Bill be read a second time to-morrow, which motion being seconded by Mr. Fraser was carried in the affirmative.

Read a second time a Bill for the better preservation of Salmon.

On the motion of Mr. Beasley seconded by Mr. Rogers that the said Bill be now committed.

The House went into Committee accordingly.

Mr. Jessup in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported the said Bill with amendments which report was accepted, and the said amendments having been read were agreed to.

On the motion of Mr. Beasley seconded by Mr. Rogers

Ordered, That the said Bill be engrossed and read a third time to-morrow.

Read as engrossed

A Bill to remedy the inconvenience arising from the present method of levying supplies to defray the expenses of the Members of the House of Assembly.

Ordered, That the said Bill do pass, and the same was accordingly signed by Mr. Speaker.

On the motion of Mr. Beasley seconded by Mr. Rogers

Ordered, That Mr. Solicitor General and Mr. Rogers be a Committee to carry up the said Bill to the Legislative Council and to request their concurrence therein.



Agreeably to the order of Saturday last the House resolved itself into Committee and went into the consideration of the proper measures to be adopted for compelling the attendance of the Members of this House.

Mr. Street in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said subject and had directed him to report in writing as follows—to wit

The Committee recommend that it be ordered and resolved by the House that

Timothy Thompson

Thomas Smith

Thomas McKee Esquires

not having attended their duty in Parliament are highly reprehensible and deserve the censure of this House.

And that notice be ordered to be given to them that if they do not attend their duty more religiously in future a fine will be imposed upon them.

Which Report was accepted.

On motion of Mr. Street seconded by Mr. Jones

Ordered, That a copy of the Report of the said Committee be transmitted by the Clerk to each of the Gentlemen included in the censure thereof.

On motion of Mr. Beasley seconded by Mr. Jessup the House adjourned.

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*Tuesday 12th. June 1798.*

Prayers having been read

The Minutes of the Proceedings of yesterday were read.

The Committee appointed to carry up to the Legislative Council the Bill to remedy the inconveniences arising from the present method of levying supplies to defray the expenses of the Members of the House of Assembly reported that they had carried the same up accordingly.

Mr. Jones moved for leave to bring in a Bill to establish a Market in the Town of York, and being seconded by Mr. Fraser leave was given accordingly.

The Order of the day being read

Mr. Speaker read the third time as engrossed a Bill for the better preservation of Salmon.

Ordered, That the said Bill do pass, and the same was accordingly signed by Mr. Speaker.

On Motion of Mr. Rogers seconded by Mr. Beasley

Ordered, That Mr. Jones and Mr. Street be a Committee to carry up the said Bill to the Legislative Council for their concurrence therein.

A Message from the Legislative Council with a Bill to amend certain parts and to repeal other parts of an Act passed in the Thirty Seventh year of the Reign of His present Majesty, entitled An Act for regulating the practice of the Court of King's Bench and to make further provision respecting the same sent down from the Legislative Council for the concurrence of this House.

Which Bill was read the first time.

Mr. Rogers moved That the said Bill do lie on the Table for the further consideration of the House, and the motion being seconded by Mr. Beasley the said Bill was ordered to lie on the Table accordingly.

The Committee appointed to carry up to the Legislative Council the Bill for the better preservation of Salmon reported that they had carried the same up accordingly.

Read for the second time a Bill for the more uniform laying of assessments throughout this Province.

Mr. Street moved that the said Bill be now committed seconded by Captain Fraser.

The House went into Committee of the whole accordingly.

Captain Fraser in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had made a progress therein; and had requested leave to sit again.

Which Report was accepted and leave given accordingly.

On the motion of Mr. Robinson, seconded by Col. Macdonell the House adjourned.

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*Wednesday 13th. June 1798.*

Prayers having been read

Mr. Jones moved for leave to bring in a Bill to-morrow to extend the provisions of an Act passed in the Thirty Fifth year of His Majesty's Reign entitled an Act for the Public registering of Deeds, Conveyances, Wills and other incumbrances which shall be made or may affect any Lands, Tenements, or Hereditaments within this Province, and being seconded by Captain Fraser leave was given accordingly.

The Order of the Day being read

Mr. Jones brought in the Bill for establishing a Market in the Town of York, which was read the first time.

On the motion of Mr. Beasley seconded by Mr. Rogers

Ordered, That the said Bill do lie upon the Table.

Mr. Beasley moved that this House do now adjourn and being seconded by Mr. Robinson the question was thereupon put

Whereupon a Division of the House took place and the motion was negatived.

Mr. Rogers then moved that this House do now resolve itself into Committee to consider further of the Bill for the more uniform laying of assessments throughout the Province, and being seconded by Captain Fraser

The House accordingly went into Committee thereon.

Captain Fraser in the Chair.

The Committee resumed the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had taken up again the consideration of the said Bill, had made a further progress therein, and had directed him to request leave to sit again, which leave was granted accordingly.

Mr. Solicitor General seconded by Colonel Macdonell moved that the Bill to amend certain parts and to repeal other parts of an Act passed in the Thirty-Seventh year of the Reign of His present Majesty entitled An Act for regulating the practice of the Court of King's Bench, and to make further provisions respecting the same be read a second time to-morrow.

And the question having been thereof put the House divided and negative the motion by a great majority.

Mr. Robinson seconded by Mr. Jones moved that the House do adjourn, and it adjourned accordingly.

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*Thursday 14th. June 1798.*

Prayers were read.

The Minutes of the Proceedings of yesterday were read.

The Order of the Day being read

Mr. Jones brought in the Bill to extend the provisions of an Act passed in the Thirty Fifth year of His Majesty's Reign, entitled an Act for the public registering of Deeds, Conveyances, Wills and other incumbrances which shall be made or may affect any Lands, Tenements, or Hereditaments, within this Province

Which was read the first time.

On the motion of Mr. Jones seconded by Mr. Beasley.

Ordered, That the said Bill be read a second time to-morrow.

Mr. Beasley moved that the Bill for establishing a Market in the Town of York be now read a second time, and being seconded by Mr. Jessup the said Bill was read a second time accordingly.

On Motion of Mr. Jones seconded by Mr. Rogers that the House do now resolve itself into Committee to take into consideration the said Bill

The House went into Committee accordingly.

Mr. Beasley in the Chair

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported the said Bill with amendments, which report was accepted.

Mr. Jones moved that the said Bill be engrossed and read a third time to-morrow, and being seconded by Mr. Rogers it was so ordered accordingly.

Mr. Speaker informed the House that he had received from the Secretary of the Province Statements of his receipts of the Provincial Revenue from the 5th. April 1797 to the 5th. April 1798, and now has the said Statements ready for the inspection and consideration of the House.

Ordered, That the same do lie upon the Table.

On the motion of Mr. Rogers seconded by Mr. Beasley the House adjourned.

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*Friday 15th. June 1798.*

Prayers being read

The Minutes of the Proceedings of yesterday were read.

The Order of the Day being read

Mr. Speaker read the third time as engrossed a Bill to establish a Market in the Town of York.

Ordered, That the said Bill do pass and the same was accordingly signed by Mr. Speaker.

On the motion of Mr. Rogers seconded by Mr. Jones



Ordered, That Mr. Beasley and Mr. Jessup be a Committee to carry up the said Bill to the Legislative Council and to request their concurrence therein.

Which Committee being returned reported that they had carried up the said Bill accordingly.

Read the second time, a Bill to extend the provisions of an Act passed in the Thirty Fifth year of His Majesty's Reign, entitled an Act for the Public Registering of Deeds, Conveyances, Wills and other incumbrances which shall be made or may affect any Lands, Tenements, or Hereditaments within this Province.

On the motion of Mr. Jones seconded by Mr. Street that the House now go into Committee to take into their consideration the said Bill.

The House went into Committee accordingly.

Mr. Jessup in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had directed him to report a progress and to request leave to sit again.

Which Report was accepted and leave was given accordingly.

On the motion of Mr. Street that the House do now go into Committee to take into consideration the Treasurer's account seconded by Mr. Beasley.

The House went into Committee accordingly.

Mr. Rogers in the Chair.

The Committee went into the examination of the said accounts.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the examination of the said Accounts and had directed him to report a progress and to request leave to sit again

Which Report was accepted and leave was given accordingly.

On the motion of Mr. Rogers that the House do now resolve itself into Committee to consider further of the Bill for the more uniform laying of assessments seconded by Mr. Street.

The House went into Committee accordingly.

Mr. Fraser in the Chair.

The Committee resumed the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone again into the consideration of the said Bill and had directed him to request leave to sit again.

Which Report was accepted and leave was given accordingly.

On motion of Mr. Robinson seconded by Mr. Street the House adjourned.

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*Saturday 16th. June 1798.*

Prayers were read.

The Minutes of the proceedings of yesterday were read.

Mr. Robinson brought up and delivered at the Bar of the House a petition from Alexander Macdonell, Sheriff of the Home District.

Mr. Robinson seconded by Mr. Jessup moved for leave to bring in on Monday next a Bill to enable persons migrating into this Province to bring their negro slaves into the same, and leave therefore was given.

Mr. Jones moved that the House do now resolve itself into Committee to take again into consideration the Bill to extend the provisions of an Act passed in the Thirty Fifth year of His Majesty's Reign entitled an Act for the Public Registering of Deeds, Conveyances, Wills, and other incumbrances which shall be made or may affect any Lands, Tenements, Hereditaments within this Province, seconded by Mr. Beasley

And the House went into Committee accordingly.

Mr. Jessup in the Chair.

The Committee went again into the consideration of the said Bill.

Notice being given that Black Rod was at the door

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had made further progress in the consideration of the said Bill and had directed him to request leave to sit again.

Which Report was accepted and leave was given to sit again accordingly.

A Message from the Legislative Council with Bill to ascertain and establish on a permanent footing the boundary lines of the different Townships of this Province in which the Legislative Council requested the concurrence of this House.

And also a Bill to remedy the inconveniences arising from the present method of levying supplies to defray the expenses of the Members of the House of Assembly which the Legislative Council had concurred in passing with amendments.

Read the first time the said Bill to ascertain and establish on a permanent footing the boundary lines of the different Townships of this Province.

On the motion of Mr. Robinson seconded by Mr. Beasley

Ordered, That the said Bill do lie upon the Table.

Read the amendments made in the Legislative Council to the Bill to remedy the inconveniences arising from the present method of levying supplies to defray the expenses of the Members of the House of Assembly.

On the Motion of Mr. Rogers seconded by Mr. Jones.

Resolved, That the House do not concur in the said amendments.

On the motion of Mr. Robinson seconded by Mr. Jones

Ordered, That Mr. Rogers and Mr. Street be a Committee to inform the Legislative Council that this House has not concurred in the amendments of the Legislative Council in the said Bill.

Which Committee being returned reported that they had informed the Legislative Council accordingly.

Mr. Speaker read a letter from the Provincial Treasurer on the subject of the Revenue, and also a letter from the Secretary of the Province on the same subject.

Ordered, That the said letters be laid before the Committee which has leave to sit on the subject of the Revenue.

Mr. Jones seconded by Capt. Fraser moved that the House do again resolve itself into Committee to consider of the Bill to extend the provisions of an Act passed in the Thirty Fifth year of His Majesty's Reign entitled an Act for the Public Registering of Deeds, Conveyances, Wills and other Incumbrances which shall be made or may affect any Lands, Tenements or Hereditaments within this Province.

The House went into Committee accordingly.

Mr. Jessup in the Chair.

The Committee resumed the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported the said Bill with amendments, which Report was accepted.

Mr. Jones seconded by Capt. Fraser moved that the said Bill be engrossed and read a third time on Monday next, and it was ordered to be engrossed and then read accordingly.

Mr. Street seconded by Mr. Jones moved that the House do now resolve itself into Committee to take into further consideration the Bill for the more uniform laying of assessments, and the House went into Committee accordingly.

Capt. Fraser in the Chair.

The Committee took into further consideration the said Bill and went through the same.

Mr. Speaker resumed the Chair.

The Chairman reported the said Bill with amendments which report was accepted.

On the motion of Mr. Street seconded by Mr. Jones

Ordered, That the said Bill be engrossed and read a third time on Monday next.

Mr. Jones seconded by Mr. Street moved that the House do adjourn, and it adjourned accordingly.

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*Monday 18th. June 1798.*

Prayers were read.

The Proceedings of Saturday last were read.

The Solicitor General in his place informed the House that His Honor the President had given to him in charge a written message communicating to the House His Majesty's Most Gracious pleasure respecting the Address of the two Houses of the Parliament of this Province to His Majesty during the last Session relative to the establishment of Grammar Schools and an University in this Province, which being delivered to Mr. Speaker, and he and the House standing up uncovered, the same was read by Mr. Speaker in the following words to wit.

A Message from the President to the Honorable the Legislative Council and the House of Assembly.

Peter Russell President.

The President has great satisfaction in being authorized to communicate to the Legislative Council and House of Assembly that His Majesty has been most graciously pleased to take into his Royal consideration their petition humbly imploring His Majesty that he would be graciously pleased to direct his Government in this Province to appropriate a certain portion of the waste lands of the Crown as a fund for the establishment and support of a respectable Grammar School in each District thereof and also of a College or University for the instruction of Youth in the different branches of liberal knowledge and being always ready to show his parental regard for the welfare of his subjects in the furtherance of so important an object as the instruction of youth, and to assist and encourage the exertions of his Province in laying the foundation for promoting sound learning and a religious education he has condescended to express his most gracious intention to comply with the Legislature of his Province of Upper Canada in such manner as shall be judged most effectual first by the establishment of free Grammar Schools in those Districts in which they are called for, and in the process of time



by establishing other Seminaries of a larger and more comprehensive nature for the promotion of religious and moral learning and the study of the arts and sciences. With this view the President is directed to consult the Members of His Majesty's Executive Council and the Judges and Law Officers of the Crown in Upper Canada, and to report to the Secretary of State in what manner and to what extent a portion of the Crown Lands may be appropriated and rendered productive towards the formation of a fund for the above purpose out of which His Majesty may according to His pleasure allot such salaries as he may judge proper for Schoolmasters of such Free Schools, who are to be appointed by His Majesty's Governors or the person administering the Government within the Province for the time being subject to His Majesty's approbation signified through one of his principal Secretaries of State.

On the motion of Mr. Solicitor General seconded by Mr. Robinson.

Resolved, That it is the duty of this House to vote that an Address be presented to His Majesty for having been graciously pleased to take into his Royal consideration their petition for the establishment of Grammar Schools in this Province.

On the motion of Mr. Solicitor General seconded by Mr. Robinson.

Resolved, That this House do request the concurrence of the Legislative Council in a Joint Address of thanks to His Majesty for having been graciously pleased to take into His Royal Consideration their petition for the establishment of Grammar Schools in this Province.

On the motion of Mr. Solicitor General seconded by Capt. Fraser.

Ordered, That Mr. Rogers and Mr. Beasley be a Committee to communicate the preceding resolution to the Legislative Council accordingly.

Mr. Rogers seconded by Mr. Beasley moved for leave to bring in to-morrow a Bill for Licensing Hawkers, Pedlars, and Petty Chapmen.

Leave was given accordingly.

Mr. Robinson moved that the petition of Alexander Macdonell Esquire, Sheriff of the Home District, brought up on Saturday last, be now read—seconded by Mr. Jones

And the same was read accordingly.

Ordered, That the said petition be referred to the Committee to which the Bill to amend certain parts of an Act passed in the Thirty Seventh year of the Reign of his present Majesty, entitled an Act for regulating the practice of the Court of King's Bench, and to make further provision respecting the same shall be committed.

Mr. Robinson brought in the Bill for which leave was given to him on Saturday last, to enable persons migrating to this Province to bring their negro slaves into the same, under the title of a Bill to authorize and allow persons coming into this Province to settle to bring with them their Negro Slaves.

And the same was read the first time.

On the motion of Mr. Robinson seconded by Mr. Beasley

Ordered, that the said Bill be read a second time to-morrow.

Mr. Speaker read the third time as engrossed a Bill to extend the provision of an Act passed in the Thirty Fifth year of His Majesty's Reign entitled an Act for the Public Registering of Deeds, Conveyances, Wills and other Incumbrances which shall be made or shall affect any Lands, Tenements, or Hereditaments within this Province.

Ordered, That the said Bill do pass, and the same was accordingly signed by the Speaker.

On the motion of Mr. Rogers seconded by Mr. Jessup

Ordered, That Mr. Hardison and Mr. Cornwall be a Committee to carry the said Bill to the Legislative Council to request their concurrence therein.

Which Committee being returned reported that they had done so accordingly.

Mr. Street moved that the Order for reading a third time to-day as engrossed the Bill for the more uniform laying of the assessments throughout this Province be discharged, and that the said Bill be recommitted—seconded by Capt. Fraser.

And it being so ordered accordingly the House went into Committee

Captain Fraser in the Chair

The Committee went into the consideration of the said Bill again

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had reconsidered the said Bill, and having gone through the same had directed him to report the said Bill with amendments, which report was accepted.

On the motion of Mr. Rogers seconded by Mr. Street

Ordered, That the said Bill be engrossed and read a third time to-morrow.

Mr. Robinson seconded by Mr. Street moved that the Bill to amend certain parts and to repeal other parts of an Act passed in the Thirty Seventh year of the Reign of His present Majesty entitled an Act for regulating the practice of the Court of King's Bench, and to make further provision respecting the same, be now read a second time.

And the same was read a second time accordingly.

On the motion of Mr. Rogers that the House do now resolve itself into Committee to consider of the said Bill—seconded by Mr. Street

The House went into Committee of the Whole accordingly.

Mr. Jones in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill, and had directed him to report a progress, and to request leave to sit again. Which Report was accepted and leave was given accordingly.

On the motion of Mr. Jones seconded by Colonel Macdonell the House adjourned.

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*Tuesday 19th. June 1798.*

Prayers were read.

The Minutes of the Proceedings of yesterday were read.

Mr. Rogers moved for leave to bring in to-morrow a Bill to alter the method of performing Statute Duty on the Highways and Roads, and being seconded by Mr. Robinson leave was given accordingly.

The Order of the Day being read.

Mr. Rogers brought in the Bill for Licensing Hawkers, Pedlars and Petty Chapmen, and the same was read the first time.

On motion of Mr. Rogers seconded by Capt. Fraser

Ordered, That the said Bill be read a second time to-morrow.

Mr. Speaker read the third time as engrossed a Bill for the more uniform laying of assessments throughout this Province.

Ordered, That the said Bill do pass, and Mr. Speaker signed same accordingly.

Mr. Solicitor General seconded by Mr. Rogers moved that Mr. Jones and Mr. Beasley be a Committee to carry up the said Bill to the Legislative Council and to request their concurrence therein.

And it was so ordered accordingly.

Read the second time.

A Bill to authorize and allow persons coming into this Province to settle to bring with them their Negro Slaves.

Mr. Robinson moved that the House do now resolve itself into Committee to take into consideration the said Bill—and being seconded by Mr. Beasley

The House went into Committee accordingly.

Mr. Jessup in the Chair

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported the said Bill with amendments, which Report was accepted.

On motion of Mr. Robinson seconded by Mr. Beasley

Ordered, That the said Bill be engrossed and read a third time to-morrow.

On the motion of Mr. Robinson seconded by Mr. Rogers that the House do now resolve itself into Committee to go into the further consideration of the Bill to amend certain parts and to repeal other parts of an Act passed in the Thirty Seventh year of the Reign of His present Majesty, entitled an Act for regulating the practice of the Court of King's Bench, and to make further provision respecting the same

The House went into Committee accordingly.

Mr. Jones in the Chair.

The Committee resumed the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had made a further progress in the said Bill, and had directed him to request leave to sit again, which Report was accepted and leave was given accordingly.

The Committee appointed to request the Concurrence of the Legislative Council in a joint Address of thanks to His Majesty for having been graciously pleased to take into his Royal Consideration the petition for the establishment of Grammar Schools in this Province—reported that they had carried up the said message accordingly.

The Committee appointed to carry up to the Legislative Council and to request their concurrence in the Bill for the more uniform laying of assessments throughout the Province reported having done so accordingly.

On the motion of Mr. Robinson seconded by Mr. Cornwall the House adjourned.

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*Wednesday 20th. June 1798.*

Prayers were read.

The Minutes of the proceedings of yesterday were read

Mr. Solicitor General in his place informed the House that he was directed by His Honor the President to deliver a written Message from His Honor to this House.

Mr. Speaker read the same (with the exhibits therein referred to) as follows to wit



A Message from the President to the House of Assembly.

Peter Russell President.

The President has directed to be laid before the House of Assembly a Statement of the articles liable to Duties under the Provincial Statutes of Lower Canada of the 33rd. and 35th. of the King which have passed Coteau-du-Lac upwards from the opening of navigation in 1797 to the 31st. of December of the same year.

Likewise a printed Copy of an Act which was passed in the late Session of that Parliament for allowing to this Province a certain proportion of those duties collected during the last year amounting to the sum of £1206. 11. 6½. currency of the Province, for which the Governor has issued his warrant in favour of the Receiver General of this Province.

The President requests that the House of Assembly of this Province will be pleased to permit the Solicitor General a Member of this House to be absent a few days to attend his duties as Judge of the Home District Court.

Mr. Rogers delivered at the Bar of the House the petition of William Fortune in behalf of several inhabitants settled on the Ottawa River.

Mr. Jessup also delivered at the Bar of the House the petition of several of the inhabitants of the County of Frontenac, and likewise a petition from the Inn Keepers of the Town of Kingston.

On motion of Mr. Rogers seconded by Mr. Jessup

Ordered, That Mr. Solicitor General have leave of absence for eight days from Friday next.

The Order of the Day being read.

The Bill to ascertain and establish on a permanent footing the boundaries of the different Townships in this Province was read a second time.

On the motion of Mr. Rogers, that the House do now resolve itself into Committee to take into consideration the said Bill—seconded by Mr. Beasley

The House went into Committee accordingly

Mr. Jones in the Chair.

The Committee went into the consideration of the said Bill.

On notice that Black Rod was attending at the door

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had made some progress in the said Bill, and requested leave to sit again. Which Report was accepted and leave was given accordingly.

A Message from the Legislative Council informing the House that they concurred in the proposal of a joint Address of thanks to His Majesty for having been graciously pleased to take into His Royal Consideration the petition of the two Houses of Parliament of this Province praying for the establishment of Grammar Schools.

The House resolved itself into Committee.

Mr. Jones in the Chair.

The Committee resumed the consideration of the Bill to ascertain and establish on a permanent footing the boundary lines of the different Townships of this Province.

Mr. Speaker resumed the Chair.

The Chairman reported a further progress in the said Bill and requested leave to sit again. Which Report was accepted and leave was given accordingly.

Mr. Speaker read the third time as engrossed the Bill to authorize and allow persons coming into this Province to settle to bring with them their Negro Slaves.

Mr. Solicitor General moved that the said Bill do not pass, and that the question thereof be put and the Yeas and Nays taken down in Distinct Columns whereupon the question was put, and the numbers were as follows, to wit

YEAS	NAYS
COLONEL MACDONELL	MR. SOLICITOR GENERAL
MR. BEASLEY	MR. ROGERS
MR. HARDISON	MR. CORNWALL
MR. ROBINSON	CAPT. WILKINSON
CAPT. FRASER	
MR. JESSUP	
MR. STREET	
MR. JONES	

And therefore the motion was negatived by a majority of four Members, and it was ordered that the said Bill do pass, and the same was signed by Mr. Speaker.

Mr. Solicitor General seconded by Mr. Rogers moved that Mr. Robinson and Capt. Fraser be a Committee to carry up the said Bill to the Legislative Council and to request their concurrence therein.

And they were appointed a Committee accordingly.

On the motion of Mr. Beasley seconded by Mr. Hardison.

Ordered, That Col. Macdonell be also of the said Committee.

Read the second time.

The Bill for Licensing Hawkers, Pedlars and Petty Chapmen.

On the motion of Mr. Rogers that the House do now resolve itself into Committee to consider of the said Bill—seconded by Mr. Street.

The House went into Committee accordingly.

Mr. Beasley in the Chair.

The Committee went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Committee reported the said Bill with amendments, which Report was accepted.

On the motion of Mr. Rogers seconded by Captain Fraser

Ordered, That the said Bill be engrossed and read a third time to-morrow.

On the motion of Mr. Rogers seconded by Capt. Fraser the House adjourned.

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*Thursday 21st. June 1798.*

Prayers were read.

The Minutes of the Proceedings of yesterday were read.

Mr. Robinson seconded by Mr. Street moved that leave be given to postpone the carrying up to the Legislative Council of the Bill to authorize and allow persons coming into this Province to settle to bring with them their Negro Slaves.

Leave was given accordingly.

Mr. Rogers moved that the third reading of the Bill for Licensing Hawkers, Pedlars and Petty Chapmen be postponed until to-morrow, and being seconded by Mr. Robinson it was so ordered accordingly.

The Order of the Day being read

Read the second time the Bill to alter the method of performing the Statute Duty on the Highways and Roads within this Province.

On the motion of Mr. Rogers that the House do now resolve itself into Committee to take into consideration the said Bill—seconded by Mr. Hardison.

The House resolved itself into Committee accordingly.

Mr. Hardison in the Chair.

The Committee went into the consideration of the said Bill.

The Chairman reported the said Bill with amendments. Which Report was accepted.

On the motion of Mr. Rogers seconded by Mr. Hardison

Ordered, That the said Bill be engrossed and read a third time to-morrow.

On the motion of Mr. Rogers seconded by Mr. Beasley that the House do now resolve itself into Committee to consider further of the Bill to amend certain parts and to repeal other parts of an Act passed in the Thirty Seventh year of the Reign of His present Majesty, entitled an Act for regulating the practice of the Court of King's Bench, and to make further provision respecting the same—the House resolved itself into Committee accordingly.

Mr. Jones in the Chair.

The Committee went again into the consideration of the said Bill.

On notice that Black Rod was at the door

Mr. Speaker resumed the Chair.

The Chairman reported a further progress and requested leave to sit again, which Report was accepted and leave was given accordingly.

A Message from the Legislative Council with a Bill for the better division of this Province into Districts and Counties, and for the separation of the County of Lincoln from the Home District, passed by the Legislative Council and sent down for the concurrence of this House.

Also with a Bill for establishing a Market in the Town of York, which the Legislative Council had concurred in passing with amendments, and now sent down to this House for concurrence in the amendments.

The said Bill and the said amendments were read the first time.

On motion of Mr. Solicitor General seconded by Capt. Fraser.

Ordered, That the said Bill be read a second time to-morrow, and that the said amendments do lie upon the Table.

And then the House resolved itself again into Committee to consider further of the Bill to amend certain parts and to repeal other parts of an Act passed in the Thirty Seventh year of the Reign of His Present Majesty, entitled an Act for regulating the practice of the Court of King's Bench and to make further provision respecting the same.

Mr. Jones in the Chair.

The Committee resumed the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had directed him to report a further progress therein and to request leave to sit again, which Report was accepted and leave was given accordingly.

On the motion of Mr. Beasley seconded by Mr. Cornwall the House adjourned.



*Friday 22nd June 1798.*

Prayers were read.

The Minutes of the proceedings of yesterday were read.

Mr. Jessup moved for leave to bring in a Bill to-morrow to prevent Merchants and Shop-Keepers retailing Spirituous Liquors by small measure—seconded by Mr. Robinson, and leave was given accordingly.

Mr. Speaker read the third time as engrossed a Bill to alter the method of performing Statute Duties on the Highways and Roads within this Province.

Ordered, that the said Bill do pass, and the same was signed by Mr. Speaker accordingly.

Mr. Beasley moved that Mr. Rogers and Capt. Wilkinson be a Committee to carry the said Bill to the Legislative Council and to request their concurrence therein—seconded by Mr. Jones.

Ordered, That they be a Committee accordingly.

Mr. Speaker also read the third time as engrossed

A Bill for Licensing Hawkers, Pedlars and Petty Chapmen.

Ordered, That the said Bill do pass, and Mr. Speaker signed the same accordingly.

On the motion of Mr. Beasley seconded by Mr. Cornwall

Ordered, That Mr. Rogers and Captain Wilkinson be a Committee to carry up the said Bill to the Legislature, and to request their concurrence therein.

Mr. Rogers moved that the House do now resolve itself into Committee to proceed further into the consideration of the Bill to amend certain parts and to repeal other parts of an Act passed in the Thirty Seventh year of the Reign of His Present Majesty, entitled an Act for regulating the practice of the Court of King's Bench and to make further provision respecting the same, seconded by Mr. Robinson.

The House resolved itself into Committee accordingly.

Mr. Jones in the Chair.

The Committee went into the consideration of the said Bill.

On notice that Black Rod was attending at the door

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had proceeded further with the consideration of the said Bill and had directed him to report a progress and to request leave to sit again, which Report was accepted and leave was given accordingly to sit again this day.

A Message from the Legislative Council with a Bill to repeal part of an Act passed in the Thirty Seventh year of the Reign of His Present Majesty, entitled an Act to extend the Jurisdiction and regulate the proceedings of the District and Court of Bequests, and to make further provision for the same; which Bill was read the first time.

On the motion of Mr. Robinson seconded by Mr. Beasley

Ordered, That the said Bill be read a second time on Tuesday next.

And then the House resolved itself again into Committee to consider further of the Bill to amend certain parts and to repeal other parts of an Act passed in the Thirty Seventh year of the Reign of His Present Majesty entitled an Act for regulating the practice of the Court of King's Bench and to make further provision respecting the same.

The Committee made further progress therein.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had taken into their further consideration the said Bill and had directed him to report a progress and to request leave to sit again, which Report was accepted and leave was given accordingly.

Mr. Robinson seconded by Mr. Hardison moved that Col. Macdonell have leave of absence from this House for eight days reckoned from Monday next.

Leave was granted accordingly.

On the motion of Mr. Jessup seconded by Mr. Beasley

Ordered, That the three petitions brought up on Wednesday last by Mr. Rogers and Mr. Jessup be read to-morrow.

Ordered, That the second reading of the Bill for the better division of this Province and for the separation of the County of Lincoln from the Home District be postponed.

On motion of Mr. Robinson seconded by Mr. Jessup the House adjourned.

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*Saturday 23rd. June 1798.*

Prayers were read.

The Minutes of the proceedings of Yesterday were read.

The Committee appointed to carry up to the Legislative Council and to request their concurrence in passing a Bill to alter the method of performing Statute Labour on the Highways and Roads within this Province, and the Bill for Licensing Hawkers, Pedlars and Petty Chapmen reported that they had carried up the said Bills as required.

The Committee appointed to carry up to the Legislative Council and to request their concurrence in passing a Bill to authorize and allow persons coming into this Province to settle to bring with them their Negro Slaves reported that they had carried up the said Bill and message accordingly.

The petition of William Fortune was read, also

The Petition of the Inhabitants of the County of Frontenac, and likewise

The Petition of the Inn-Keepers of the Town of Kingston.

Mr. Jessup brought up conformably to leave given him yesterday

A Bill to prevent Merchants and Shop-Keepers selling Spirituous Liquors by small measure, and the same was read the first time.

On the motion of Mr. Jessup seconded by Mr. Robinson

Ordered, That the said Bill be read a second time on Tuesday next.

Mr. Robinson seconded by Capt. Fraser moved that the House do now resolve itself into Committee to consider further of the Bill to amend certain parts and to repeal other parts of an Act passed in the Thirty Seventh year of the Reign of His Present Majesty entitled an Act for regulating the practice of the Court of King's Bench and to make further provision respecting the same.

And the House went into Committee accordingly.

Mr. Jones in the Chair.

The Committee resumed again the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had again taken up the consideration of the said Bill and had gone through the same with amendments, which report was accepted, and the said amendments being read were agreed to.

On the motion of Mr. Robinson seconded by Mr. Jones  
Ordered, That the said amendment be engrossed, and read a third time on  
Monday next.

On the motion of Mr. Robinson seconded by Mr. Rogers the House adjourned.

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*Monday 25th. June 1798.*

Prayers were read.

The Minutes of the proceedings of Saturday were read.

On the motion of Mr. Robinson that the Bill for the better division of the Province into Districts and Counties, and for the separation of the County of Lincoln from the Home District be now read a second time.

The said Bill was read a second time accordingly.

On the motion of Mr. Robinson seconded by Mr. Jessup that the House do now go into Committee to consider of the said Bill.

The House went into Committee accordingly.

Mr. Hardison in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had directed him to report a progress and to request leave to sit again, which Report was accepted and leave was given to sit again accordingly.

The Order of the Day being read

Mr. Speaker read the third time as amended a Bill to amend certain parts and to repeal other parts of an Act passed in the Thirty Seventh year of the Reign of His Present Majesty, entitled an Act for regulating the practice of the Court of King's Bench and to make further provision respecting the same.

Ordered, That this House do concur in the said Bill as amended herein, and the same was accordingly signed by Mr. Speaker.

On the motion of Mr. Robinson seconded by Mr. Cornwall

Ordered, That Mr. Rogers and Mr. Hardison be a Committee to carry up the said Bill to the Legislative Council and to inform them that the House has concurred in the said Bill with amendments.

Which Committee being returned reported that they had carried up the said Bill and informed the Legislative Council as directed.

And then the House resolved itself again into Committee to consider further of the Bill for the better division of the Province into Districts and Counties, and for the separation of the County of Lincoln from the Home District.

Mr. Hardison in the Chair.

The Committee made further progress in the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported a further progress and requested leave to sit again, which Report was accepted and leave was given to sit again accordingly.

On the motion of Captain Fraser seconded by Mr. Robinson that the House do now resolve itself into Committee to resume the consideration of the Bill to ascertain and establish on a permanent footing the Boundary Lines of the different Townships of this Province.

The House resolved itself into Committee accordingly.

Dr. Jones in the Chair.



The Committee went again into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill and had directed him to report the same with amendments. Which Report was accepted.

On the motion of Mr. Rogers seconded by Mr. Jones

Ordered, That the said Bill be read a third time to-morrow as amended.

On the motion of Mr. Beasley seconded by Mr. Street the House adjourned.

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*Tuesday 26th. June 1798.*

Prayers being read

The Minutes of the Proceedings of yesterday were read.

Mr. Street brought up and delivered at the Bar a Petition signed by Robert Murray and Thomas Clark,

On the Motion of Dr. Jones seconded by Capt. Fraser

Ordered, That the Order of the Day for the third reading of the Bill to ascertain and establish on a permanent footing the boundary lines of the different Townships of this Province be discharged, and that the said Bill be now recommitted.

The House resolved itself into Committee accordingly.

Dr. Jones in the Chair.

The Committee went into the reconsideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had reconsidered the said Bill, and had gone through the same, and had directed him to report the said Bill with amendments, which Report was accepted.

Ordered, That the said Bill be read a third time as amended on this day.

The Order of the Day being read

Mr. Robinson moved that the second reading of a Bill to repeal part of an Act passed in the Thirty Seventh year of the Reign of His Present Majesty, entitled an Act to extend the Jurisdiction and regulate the proceedings of the District Court and Court of Requests and to make further provision respecting the same be postponed until Friday—seconded by Mr. Beasley.

And it was so ordered accordingly.

A Bill to prevent Merchants and Shopkeepers selling spirituous liquors by small measure was read the second time.

On motion of Mr. Jessup seconded by Mr. Robinson that the House do now resolve itself into Committee to go into the consideration of the said Bill

The House accordingly resolved itself into Committee.

Mr. Jessup in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had directed him to report that it was the opinion of the Committee that the further consideration of the said Bill should be postponed. Which Report was accepted.

A Message from the Legislative Council with a Bill to extend the provisions of an Act passed in the Thirty Fifth year of His Majesty's Reign entitled an Act

for the Public Registering of Deeds, Conveyances, Wills and other incumbrances which shall be made or may affect any Lands, Tenements or Hereditaments within this Province.

And also a Bill for the more uniform laying of assessments throughout this Province, in passing both which Bills the Legislative Council has concurred with amendments.

The said amendments were severally read the first time.

Mr. Rogers moved that the Bill for establishing a Market in the Town of York as concurred in with amendments by the Legislative Council be now read a second time, and that the same be immediately committed—seconded by Captain Fraser.

Which Bill having been read the House resolved itself into Committee accordingly.

Mr. Robinson in the Chair.

The Committee went into the consideration of the said Bill as amended.

Mr. Speaker resumed the Chair.

The Chairman brought the Report of the Committee in the following words to wit

As the amendments made by the Legislative Council by the Bill curtail the influence of the Market and the interference of the Magistrates to the mere limits of the Town Plot, whereas the original intention of the Bill extended to a circle of five miles, the Committee recommend it to the House to dismiss the further consideration of the said Bill as amended.

Which Report was accepted.

Ordered, on the motion of Mr. Robinson seconded by Capt. Wilkinson, that the further consideration of the said Bill as amended be postponed for three months.

On the motion of Mr. Rogers seconded by Mr. Robinson the House adjourned.

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*Wednesday 27th. June 1798.*

Prayers were read.

The Minutes of the Proceedings of yesterday were read.

Mr. Rogers seconded by Mr. Jessup moved that the House do now resolve itself into Committee to consider of the Bill for the better division of the Province into Districts and Counties, and for the separation of the County of Lincoln from the Home District.

The House resolved itself into Committee accordingly.

Mr. Hardison in the Chair.

The Committee resumed the further consideration of the said Bill.

On notice that Black Rod was at the door

Mr. Speaker resumed the Chair.

The Chairman reported progress and requested leave to sit again which Report was accepted and leave was given accordingly.

A Message from the Legislative Council requesting a conference with a Committee of this House at the breaking up of this House to-day on the subject of the amendments in the Bill to amend certain parts and to repeal other parts of an Act passed in the Thirty Seventh year of the Reign of His Present Majesty entitled an Act for regulating the practice of the Court of King's Bench and to make further provision respecting the same.

On the motion of Mr. Robinson seconded by Capt. Fraser.

Resolved, That the House do confer by a Committee thereof to consist of five Members with a Committee of the Legislative Council on the subject of the said amendments.

On the motion of Mr. Rogers seconded by Mr. Jessup

Ordered, That Dr. Jones and Mr. Cornwall be a Committee to communicate this resolution to the Legislative Council.

Which Committee being returned reported that they had communicated the same accordingly.

On the motion of Mr. Rogers seconded by Capt. Fraser

Ordered, That Mr. Robinson, Mr. Jones, Mr. Street, Mr. Jessup and Mr. Beasley be a Committee of conference agreeably to the above resolution.

On the motion of Mr. Rogers seconded by Mr. Cornwall the House adjourned.

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*Thursday 28th. June 1798.*

Prayers were read.

The Minutes of the Proceedings of yesterday were read.

A Message from the Legislative Council with a Bill to alter the method of performing Statute Duty on the Highways and Roads within this Province as concurred in with amendments in the Legislative Council.

Which Bill was read the first time.

Mr. Robinson seconded by Mr. Jessup moved that the Bill to extend the provisions of an Act passed in the Thirty Fifth year of His Majesty's Reign entitled an Act for the Public Registering of Deeds, Conveyances, Wills and other Incumbrances which shall be made or may affect any Lands, Tenements, Hereditaments within this Province, as amended in the Legislative Council, be now read a second time, and the same was read a second time accordingly.

On the motion of Mr. Robinson seconded by Mr. Jessup that the House do now resolve itself into Committee to consider of the said Bill

The House resolved itself into Committee accordingly.

Mr. Hardison in the Chair.

The Committee went into the consideration of the amendments made in and to the same Bill in the Legislative Council.

Mr. Speaker resumed the Chair.

The Chairman reported a progress and requested leave to sit again, which Report was accepted and leave was given accordingly.

On the motion of Mr. Street seconded by Mr. Hardison

Ordered, That the Order of the House of Tuesday last for the engrossing and reading a third time this day a Bill to ascertain and establish on a permanent footing the boundary lines of the different Townships of this Province be discharged, and that the said Bill be now recommitted.

The House resolved itself into Committee accordingly.

Mr. Hardison in the Chair.

The Committee resumed the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone again into the consideration of the said Bill and had directed him to report the same with amendments. Which Report was accepted.



On the motion of Mr. Street seconded by Mr. Hardison

Ordered, That the said Bill be engrossed as amended and read a third time to-morrow.

On the motion of Mr. Robinson seconded by Mr. Jessup the House adjourned for one hour.

Mr. Speaker resumed the Chair.

On the motion of Mr. Street seconded by Mr. Robinson that the House do now resolve itself into Committee to consider further of the Bill for the better division of the Province into Districts and Counties, and for the separation of the County of Lincoln from the Home District

The House resolved itself into Committee accordingly

Mr. Hardison in the Chair.

The Committee resumed the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill and had directed him to report same with amendments, which Report was accepted.

On the motion of Mr. Hardison seconded by Mr. Rogers

Ordered, That the said Bill be engrossed and read a third time on Saturday next.

On the motion of Mr. Rogers seconded by Capt. Fraser that the House do now resolve itself into Committee to consider of the Bill for the more uniform laying of assessments throughout this Province as amended in the Legislative Council

The House went into Committee.

Mr. Street in the Chair.

The Committee went into the consideration of the said Bill as amended.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill as amended and had concurred in the said amendments which report was accepted.

On the motion of Mr. Robinson seconded by Mr. Hardison.

Ordered, That the said Bill be engrossed as amended.

On the motion of Mr. Robinson seconded by Capt. Wilkinson that the House do now resolve itself into Committee to consider of the Bill to alter the method of performing Statute Duty on the Highways and Roads within this Province as amended in the Legislative Council.

The House resolved itself into Committee.

Mr. Robinson in the Chair.

The Committee went into the consideration of the said Bill as amended.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee recommended to the House to concur in the amendments made in the Legislative Council to the said Bill, and advise that a Bill be brought in to-morrow as draughted by the Committee to enable the Treasurer of each District to recover the sums of money chargeable for the repairs of the Highways and Roads which may be due and owing from persons not resident in the Province. Which Report was accepted.

On the motion of Mr. Rogers seconded by Mr. Hardison

Ordered, That the said Bill be engrossed as amended and read a third time to-morrow.

On the motion of Mr. Beasley seconded by Mr. Hardison the House adjourned.

*Friday 29th. June 1798.*

Prayers were read.

The Minutes of the Proceedings of yesterday were read.

A Message from the Legislative Council with a Bill to repeal an Ordinance passed in the Twenty Fifth year of the Reign of His Present Majesty entitled an Ordinance concerning Advocates, Attornies, Solicitors and Notaries, and for the more easy collection of His Majesty's Revenues as far as the same relate to Notaries.

Which Bill was read the first time.

On the motion of Mr. Robinson seconded by Mr. Jessup

Ordered, That the said Bill be read a second time to-morrow.

The Order of the Day being read.

Read the first time as brought in and draughted by the Committee of the House yesterday a Bill to enable the Treasurer of each District to recover the sums of money chargeable for the repairs of the Highways and Roads which may be due and owing from persons not resident in this Province.

On the motion of Mr. Robinson seconded by Mr. Cornwall

Ordered, That the Order of the day for the second reading of the Bill to repeal part of an Act passed in the Thirty Seventh Year of the Reign of His Majesty entitled an Act to extend the Jurisdiction and regulate the Proceedings of the District Court and Court of Requests and to make further provision for the same be discharged; and that the same be read a second time to-morrow.

Mr. Speaker read a third time as engrossed a Bill to alter the method of performing Statute Labor on the Highway and Roads within this Province, as amended in the Legislative Council and concurred in by this House.

Ordered, That the said Bill do pass as amended and the same was accordingly signed by Mr. Speaker.

Mr. Speaker read a third time the Bill to ascertain and establish on a permanent footing the boundary lines of the different Townships of this Province, as amended in the Legislative Council, with the amendments engrossed.

Ordered, That the said Bill do pass as amended.

On the motion of Mr. Rogers seconded by Mr. Jones

Ordered, That Mr. Solicitor General and Capt. Fraser be a Committee to carry up the said Bill to the Legislative Council, and to inform them that the House has concurred in passing the same Bill with amendments, and requests their concurrence in the amendments.

Which Committee being returned reported that they had carried up the said Bill and had delivered the said Message accordingly.

On the motion of Mr. Rogers seconded by Mr. Jones

Ordered, That Mr. Solicitor General and Mr. Street be a Committee to report the draught of an Address of thanks to the King's Most Excellent Majesty for having been graciously pleased to take into His Royal Consideration the Humble Petition of the Parliament of this Province for the establishment of Grammar Schools &c. in this Province.

On the motion of Mr. Robinson seconded by Mr. Jones the House adjourned.

*Saturday 30th. June 1798.*

Prayers were read.

The Minutes of the Proceedings of yesterday were read.

Mr. Rogers seconded by Mr. Jones moved for leave to bring in on Monday a Bill to provide for the expenses of the Members of the Assembly while attending their service in Parliament.

Leave was given accordingly.

The Order of the Day being read

The Bill to enable the Treasurer of each District to recover the monies due towards repairing the Highways and Roads and chargeable on the real property of persons not resident within this Province was read the second time.

On the motion of Mr. Robinson seconded by Mr. Jessup the House resolved itself into Committee to take into consideration the said Bill.

Mr. Cornwall in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported the said Bill which Report was accepted.

On the motion of Mr. Rogers seconded by Mr. Jessup,

Ordered, That the said Bill be engrossed and read a third time on Monday next.

The Bill to repeal part of an Act passed in the Thirty Seventh year of the Reign of His Present Majesty, entitled an Act to extend the Jurisdiction and regulate the Proceedings of the District Court and Court of Requests and to make further provision for the same was read the second time.

The Bill to repeal an Ordinance passed in the Twenty Fifth year of the Reign of His Present Majesty entitled an Ordinance concerning Advocates, Attornies, Solicitors and Notaries and for the more easy collection of His Majesty's Revenues as far as the same relates to Notaries was read the second time.

On motion of Mr. Rogers seconded by Mr. Street the House resolved itself into Committee to take into consideration the said Bill.

Mr. Solicitor General in the Chair.

The Committee went into the consideration of the said Bill.

On notice that Black Rod was in attendance

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had directed him to report a progress and to request leave to sit again this day. Which Report was accepted and leave was given.

A Message from the Legislative Council informing that they had concurred in the amendment made in and by this House in the Bill to ascertain and establish on a permanent footing the boundary lines of the different Townships of this Province.

And then the House resolved itself again into Committee to consider further of the Bill to repeal an Ordinance passed in the Twenty Fifth year of the Reign of His Present Majesty entitled an Ordinance concerning Advocates, Attornies, Solicitors and Notaries, and for the more easy collection of His Majesty's Revenues, as far as the same relate to Notaries.

Mr. Solicitor General in the Chair.

The Committee resumed the consideration of the said Bill and went through the same.

Mr. Speaker resumed the Chair.



The Chairman reported the said Bill without any amendments which Report was accepted.

On the motion of Mr. Rogers seconded by Mr. Robinson

Ordered, That the said Bill be read a third time on Monday.

Mr. Speaker read the third time as amended in this House with the amendments engrossed a Bill for the better division of this Province into Districts and Counties, and for the separation of the County of Lincoln from the Home District.

Ordered, That the said Bill do pass as amended and the same amendments were accordingly signed by Mr. Speaker.

On the motion of Mr. Robinson seconded by Dr. Jones

Ordered, That Mr. Solicitor General and Mr. Rogers be a Committee to carry up the said Bill to the Legislative Council and to inform the same that this House has concurred in passing the said Bill with amendments and requests their concurrence in the amendments.

Which Committee being returned reported that they had carried up the said Bill and Message.

On the motion of Mr. Rogers seconded by Mr. Beasley the House resolved itself into Committee to consider further of the Bill to extend the provisions of an Act passed in the Thirty Fifth year of His Majesty's Reign entitled an Act for the Public Registering of Deeds, Conveyances, Wills and other Incumbrances which shall be made or may affect any Lands, Tenements or Hereditaments within this Province, as amended in the Legislative Council.

Mr. Jones in the Chair.

The Committee went into the further consideration of the said Bill and through the same.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone again into the consideration of the said Bill as amended and had gone through the same, which Report was accepted.

Ordered, on the motion of Mr. Rogers seconded by Mr. Robinson, that the said Bill as amended be read a third time in three months.

On the motion of Mr. Jessup seconded by Mr. Beasley the House adjourned.

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*Monday 2nd. July 1798.*

Prayers were read.

The Minutes of the Proceedings of Saturday were read.

Mr. Robinson delivered at the Bar the Petition of the Clerk of the Legislative Council.

Mr. Robinson seconded by Mr. Jessup moved that Mr. Rogers and Mr. Jessup be a Committee to carry up to the Legislative Council the Bill to alter the method of performing Statute Duty on the Highways; and the Bill for the more uniform laying of assessments throughout this Province as passed with the concurrence of this House in the amendments of the Legislative Council.

Which Committee being returned reported that they had carried up the same as directed.

On the motion of Mr. Rogers seconded by Mr. Jones that the Order for the third reading of the Bill to enable the Treasurer of each District to recover the

monies due towards repairing the Highways and Roads chargeable on the real property of persons not residing within the Province be discharged, and that the House do now resolve itself into Committee to reconsider the said Bill.

The House resolved itself into Committee accordingly

Mr. Robinson in the Chair.

The House went into the reconsideration of the said Bill.

On notice that Black Rod was in waiting

Mr. Speaker resumed the Chair.

The Chairman reported a progress and that he was directed by the Committee to request leave to sit again this day, which report was accepted and leave was given accordingly.

A Message from Council informing that they requested a conference with this House upon the subject of the amendments made to a Bill to amend certain parts and to repeal other parts of an Act passed in the Thirty Seventh year of the Reign of His Present Majesty entitled an Act for regulating the practice of the Court of King's Bench and to make further provision respecting the same, and also upon the subject of those made in a Bill for the better division of this Province into Districts and Counties, and for the separation of the County of Lincoln from the Home District.

And then the House resolved itself again into Committee to go further into the consideration of the Bill to enable the Treasurer of each District to recover the monies due towards repairing the Highways and Roads chargeable on the real property of persons not residing within this Province.

Mr. Robinson in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill and had agreed thereto with amendments, which Report was accepted.

On the motion of Mr. Rogers seconded by Mr. Street

Ordered, That the said Bill be engrossed and read a third time to-morrow.

Mr. Beasley seconded by Mr. Cornwall moved that Mr. Jones, Mr. Solicitor General, Capt. Fraser, Mr. Jessup and Captain Wilkinson be a Committee to confer with the Legislative Council agreeable to their message of this day.

And the question thereof having been put the same was negatived.

Mr. Solicitor General seconded by Mr. Jessup then moved that the following gentlemen be a Committee for that purpose—to wit, Mr. Street, Mr. Cornwall, Mr. Robinson, Mr. Rogers, Mr. Jones, Mr. Solicitor General, Capt. Fraser, Mr. Jessup and Capt. Wilkinson.

And the question thereof having been put was carried in the affirmative unanimously.

Mr. Speaker read the third time a Bill to repeal an Ordinance passed in the Twenty Fifth year of His Majesty's Reign entitled an Ordinance concerning Advocates, Attornies, Solicitors and Notaries, and for the more easy collection of His Majesty's Revenues as far as the same relate to Notaries.

Ordered, That the same do pass, and Mr. Speaker signed the same accordingly.

Ordered, on the motion of Mr. Rogers seconded by Mr. Street, That Mr. Jones and Mr. Solicitor General be a Committee to inform the Legislative Council that this House accedes to their request respecting a conference on a Bill for the better division of the Province into Districts and Counties, and that the said Committee do inform the Legislative Council that the Committee appointed to confer with a

Committee of the Legislative Council on the subject of the Judicature Bill have not reported, but are ready to confer further with the Committee of the Legislative Council thereon; and that the said Committee do also inform the Legislative Council that this House has passed the Bill for repealing the Ordinance concerning Notaries without any amendments.

Which Committee being returned reported that they had delivered to the Legislative Council the said Message, and had carried up the said Bill for repealing the Ordinance concerning Notaries.

Mr. Rogers brought in the Bill to provide for the expenses of Members of the House of Assembly while attending their service in Parliament, and the same was read the first time.

On the motion of Mr. Rogers seconded by Mr. Robinson the said Bill was read the second time.

On the motion of Mr. Robinson seconded by Mr. Rogers that the House do now resolve itself into Committee to go into the consideration of the said Bill.

The House went into Committee accordingly.

Mr. Cornwall in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported the same, which Report was accepted.

On the motion of Mr. Rogers seconded by Mr. Jones

Ordered, That the said Bill be engrossed and read a third time to-morrow.

A Committee appointed to draft in conference with a Committee of the Legislative Council an Address to the King's Most Excellent Majesty's most gracious answer to the Petition of the Parliament of this Province respecting Grammar Schools &c. reported that they had drafted an Address accordingly, which would be sent down by a Message from the Legislative Council this day.

A Message from the Legislative Council with the said Address engrossed and signed by the Honorable the Speaker of the Legislative Council.

Mr. Speaker read the said Address.

On the motion of Mr. Solicitor General seconded by Mr. Street.

Ordered, That this House do concur in the said Address, and the same was signed by the Speaker accordingly.

On the motion of Mr. Jones seconded by Mr. Robinson the House adjourned.

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*Tuesday 3rd. July 1798*

Prayers were read.

The Minutes of the Proceedings of yesterday were read.

The Committee appointed to confer with a Committee of the Legislative Council on the subject of the amendments made in and by this House in the Bill for the better division of the Province reported that all the amendments had been concurred in excepting that one amendment had been modified by altering the name of the County of Rideau into that of the County of Carleton—which Report was accepted.

The Committee appointed to confer with a Committee of the Legislative Council on the subject of the amendments made by this House in and to the Bill to amend certain parts and to repeal other parts of an Act passed in the Thirty



Seventh year of the Reign of His Present Majesty, entitled an Act for regulating the practice of the Court of King's Bench and to make further provision respecting the same reported that the Committee of Council would not concur in the amendments made by the House in the said Bill, which Report was accepted.

A Message from the Council informing that they had concurred in the amendments made in this House in and to the Bill for the better division of the Province, with the alteration of Carleton for Rideau as recommended by the Committee of Conference.

And also with a Bill to amend part of an Act passed in the Thirty Fourth year of the Reign of His Majesty, entitled an Act to establish a Superior Court of Civil and Criminal Jurisdiction, and to regulate the Court of Appeal, and also to amend and repeal part of an Act passed in the Thirty Seventh year of the Reign of His Majesty entitled an Act for regulating the practice of the Court of Kings Bench and to make further provision respecting the same.

Which Bill was read the first time.

Mr. Robinson seconded by Mr. Rogers moved that the said Bill be read a second time to-morrow, and the question thereof having been put the same was negatived.

Captain Fraser moved seconded by Mr. Solicitor General that the said Bill be now read a second time and the question thereof having been put the same was carried in the affirmative and the said Bill was accordingly read a second time.

Mr. Speaker read the third time as engrossed

A Bill to provide for the Expenses of the Members of the House of Assembly while attending their service in Parliament.

Ordered, That the said Bill do pass, and the same was accordingly signed by Mr. Speaker.

On motion of Mr. Solicitor General seconded by Mr. Jones.

Ordered, That Mr. Street and Mr. Cornwall be a Committee to carry up the said Bill to the Legislative Council and to request their concurrence therein.

Which Committee being returned reported that they had carried up the said Bill and delivered the said Message accordingly.

Mr. Speaker read the Bill a third time as engrossed

A Bill to enable the Treasurer of every District to recover the sums due by absentees for the repairs of the Highways.

Ordered, That the said Bill do pass, and the same was accordingly signed by Mr. Speaker.

On the motion of Mr. Beasley seconded by Mr. Jessup

Ordered, That Mr. Rogers and Mr. Jessup be a Committee to carry up the said Bill to the Legislative Council and to request their concurrence therein.

Which Committee being returned reported that they had carried up the said Bill and delivered the said Message.

On the motion of Mr. Rogers seconded by Mr. Jessup

Ordered, That Mr. Solicitor General and Mr. Beasley be a Committee to inform the Legislative Council that this House has concurred in the Address of thanks to His Majesty for his gracious intentions respecting Grammar Schools and do return the said Address to the Legislative Council, and further to inform the Legislative Council that this House requests that they would appoint a Committee of their House to accompany one from this House to wait upon His Honor the President to know when His Honor will receive the two Houses with the said Address; and do likewise carry up the Bill for repealing the Ordinance respecting Notaries as concurred in by this House without any amendments.

Which Committee being returned reported that they had carried up the Address and Bill and delivered the several messages as directed.

On the motion of Mr. Robinson seconded by Mr. Jones that the House do now resolve itself into Committee to consider of the Bill to amend part of an Act passed in the Thirty Fourth year of His Majesty's Reign entitled an Act to establish a Superior Court of Civil and Criminal Jurisdiction and to regulate the Court of Appeal and also to repeal and amend part of an Act passed in the Thirty Seventh Year of His Majesty entitled an Act for regulating the practice of the Court of King's Bench and to make further provision respecting the same.

The House went into Committee accordingly.

Dr. Jones in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported the said Bill without any amendment, which Report was accepted.

On the motion of Mr. Robinson seconded by Mr. Rogers.

Ordered, That the said Bill be read a third time to-morrow.

On the motion of Mr. Robinson seconded by Mr. Rogers the House resolved itself into Committee to consider of the Bill to repeal part of an Act passed in the Thirty Seventh Year of the Reign of His Majesty, entitled an Act to extend the Jurisdiction and regulate the Proceedings of the District Court and Court of Requests and to make further provision for the same.

Mr. Beasley in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported the said Bill with amendments. Which Report was accepted.

On the motion of Mr. Robinson seconded by Mr. Cornwall.

Ordered, That the said amendments be now engrossed and read a third time this day.

A Message from Council with an Address to His Honor the President.

Mr. Speaker read the said Address.

On the motion of Mr. Solicitor General seconded by Mr. Rogers

Ordered, That the House do concur in the said Address, and the same was accordingly signed by Mr. Speaker.

And then the two Houses of Parliament waited upon His Honor the President with their joint Addresses to His Majesty and to His Honor, and thereupon His Honor was pleased to address the two Houses of Parliament as follows, to wit.

Honorable Gentlemen of the Legislative Council and Gentlemen of the Assembly:—

I shall take the earliest opportunity of transmitting your very loyal Address to His Majesty.

The House being returned

Mr. Speaker read a third time as amended with the engrossed amendments the Bill to amend part of an Act passed in the Thirty Seventh of His Majesty's Reign, entitled an Act to extend the Jurisdiction and regulate the Proceedings of the District Court and Court of Requests and to make further provision for the same.

Ordered, That the said Bill do pass, and the same was accordingly signed by Mr. Speaker.

On the motion of Mr. Jessup seconded by Mr. Rogers

Ordered, That Mr. Robinson and Capt. Fraser be a Committee to carry up the said Bill as amended, and to request the concurrence of the Legislative Council in the said amendments.

Which Committee being returned reported that they had carried up the said Bill to the Legislative Council and had requested their concurrence in the amendments.

On motion of Mr. Rogers seconded by Mr. Beasley the House resolved itself into Committee on the subject of the Revenue.

Mr. Rogers in the Chair.

The Committee went into the examination of the Public Accounts.

Mr. Speaker resumed the Chair.

The Chairman reported a progress and requested leave to sit again, which Report was accepted.

On motion of Mr. Rogers the House adjourned.

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*Wednesday 4th. July 1798.*

Prayers were read.

The Minutes of the Proceedings of yesterday were read.

A Message from the Legislative Council informing that they requested a conference on the subject of the amendments made in this House in and to the Bill to repeal part of an Act passed in the Thirty Seventh Year of the Reign of His Majesty, entitled an Act to extend the Jurisdiction and regulate the Proceedings of the District Court and Court of Requests and to make further provision for the same.

Another Message from Council informing that they had concurred in passing the Bill for the better division of the Province as amended in this House with the further alteration of the Committee of Conference.

On the motion of Mr. Rogers seconded by Mr. Jessup

Ordered, That Mr. Robinson, Mr. Solicitor General, and Captain Fraser be a Committee to inform the Legislative Council that the House will appoint a Committee to confer with their Committee on the subject of the amendments made in and to the Bill mentioned in the first message to-day.

On the motion of Mr. Rogers seconded by Mr. Jessup.

Ordered, That Mr. Robinson, Mr. Solicitor General, and Captain Fraser be a Committee to confer with a Committee of the Legislative Council on the above subject.

The Committee appointed to carry up the said Bill and to go into conference accordingly reported that they had delivered the said Message to the Legislative Council, and had afterwards conferred with a Committee of that Honorable House on the subject of the amendments made in this House in and to the said Bill, and that the Committee of this House had concurred in rescinding all the amendments made in this House in and to the said Bill excepting as to the mileage of the Court of Requests, which the conference had concurred in leaving as amended by this House.



On the Question that the House do accept the said Report the House divided.

## YEAS

MR. SOLICITOR GENERAL

MR. STREET

MR. JONES

MR. ROGERS

MR. BEASLEY

CAPT. FRASER

MR. HARDISON

MR. JESSUP

CAPT. WILKINSON

## NAYS

MR. ROBINSON

MR. CORNWALL

And therefore the question was carried in the affirmative by a majority of seven.

Mr. Speaker then read the third time the Bill to amend part of an Act passed in the Thirty Fourth Year of His Majesty's Reign, entitled an Act to establish a Superior Court of Civil and Criminal Jurisdiction and to regulate the Court of Appeal, and also to repeal and amend part of an Act passed in the Thirty Seventh Year of the Reign of His Majesty, entitled an Act for regulating the practice of the Court of King's Bench, and to make further provision respecting the same.

Ordered, that the said Bill do pass, and Mr. Speaker accordingly signed the same.

On the motion of Mr. Jessup seconded by Mr. Street

Ordered, That Mr. Hardison and Capt. Wilkinson be a Committee to return the said Bill to the Legislative Council, and to inform them this House has concurred in passing the same without any amendments.

Which Committee being returned reported that they had returned the said Bill to the Legislative Council and had carried up the said Message.

And then the House resolved itself into Committee to go into the consideration of the Revenue.

Mr. Rogers in the Chair.

The Committee took into their consideration the Provincial Revenue and the monies due for Public Services.

Mr. Speaker resumed the Chair.

The Chairman reported a progress and requested leave to sit again to-morrow by the Hour of Nine O'clock, which Report was accepted and leave was given accordingly.

On the motion of Mr. Rogers seconded by Mr. Jones

Resolved, That Mr. Speaker do in the name of this House request His Honor the President to be pleased to direct that Thomas Ridout Esquire do receive His Majesty's Commission as Sergeant at Arms of this House.

On the motion of Capt. Fraser seconded by Mr. Robinson.

Ordered, That Mr. Hardison have leave of absence for the remainder of the Session.

On the motion of Mr. Robinson seconded by Mr. Hardison the House adjourned.

*Thursday 5th. July 1798.*

The House met in Committee.

Mr. Rogers in the Chair.

The Committee went into the consideration of the Revenue and of the application of the Public monies.

At the hour of Ten Mr. Speaker took the Chair.

The Chairman reported progress and requested leave to sit again, which Report was accepted and leave was given to sit again this day.

The Minutes of the Proceedings of yesterday were read.

And then the House resolved itself into Committee on the subject of the Revenue and on the application thereof.

The Committee went through the consideration of the said subjects.

Mr. Speaker resumed the Chair.

The Chairman reported the Proceedings of the Committee in writing as follows, to wit.

Committee of the Whole House, 15th. June 1798.

Mr. Rogers in the Chair.

The Committee went into the consideration of the accounts.

Read a Report of the Public Revenue collected on Still Licenses issued from the 5th. April 1797 to the 5th. April 1798 amounting to £158. 11. 6¼.

Which the Committee observes contains an Account of 26 Still Licenses in the Eastern, Western, Midland and Home Districts, containing together 2537¼ gallons.

Also a Report (No. 2) of the Public Revenues collected on Tavern Licenses issued from 5th. April 1797 to 5th. April 1798 amounting to £74. 0. 0.

Which Report the Committee observes contains an account of 74 Licenses issued in the Eastern, Western, and Midland and Home Districts.

Also a Report (No. 3) of Public Revenue collected on Shop Licenses from 5th. April 1797 to 5th. April 1798, being for one License to Hannah McBride in the Home District, amounting to £1. 0. 0. Total £233. 11. 6¼.

Amounting to £233. 11. 6¼. of which sum the Committee perceive that he has only paid £46. on account to the Provincial Treasurer, leaving a balance in his hands of £187. 11. 6¼. exclusive of such monies as he may have received upon Still Tavern and Shop Licenses commencing the 5th. April 1798, all which monies by an Act entitled an Act to increase the Revenue and to compel the accounting more regularly for the same to the Treasurer of the Province he is directed to pay into the hands of the Provincial Treasurer within one calendar month after he shall have received or collected the same, and to use efficient means of compelling all persons employed by or under him as Agents or Deputies in receiving and collecting the duties imposed by this Parliament to transmit to him from time to time without delay all such monies as they shall so receive and collect, which monies also the Secretary is required to pay to the Provincial Treasurer within one month after he has received the same.

Resolved to recommend to the House that the Secretary be written to know whether since the payment of £46. 0. 0. before mentioned he has paid the balance in his hands on the 5th. April 1798 of £187. 11. 6¼. into the hands of the

Provincial Treasurer, and whether in consequence of the Act before recited he has paid any monies he may have received for duties commencing 5th. April 1798 and if he has not it may be done immediately and at the same time to require from the Secretary information whether or not the following persons for the year ending the 5th. April 1797 were licensed. John Coone, Home District; Abner Miles, York; Ed. Wright, York, Patrick Mealey, York, Joseph Hunt, York, David Cole, Adolphus-town; Michael Haines, Williamsburg; John Strower, Matilda; Philip Pember, Kingston; Richard Wilson, King's Head Beech.

And for the year ending 5th. April 1798. John Robinson, Distiller, Eastern District, Edward Wright, Patrick Mealey and Hannah McBride.

The Committee also recommend that application be made to the Receiver General to know what number of Shop, Tavern and Still Licenses he issued from 5th. April 1797 to 5th. April 1798 and what number are returned to him. They request in future a sketch of this kind from him to be a check upon the Public Accounts as is usual in such cases, and if he can suggest a more ready method that the House beg for his information.

The Committee note that in the Treasurer's account £100. 0. 0. is paid to Colonel Macdonell for a Commission into Lower Canada in the year 1796 and another in 1797 which they anticipate to be a clerical mistake, as by the Journal it should appear to be in 1794. (Progress was reported.)

Committee of the Whole House. (3rd. July 1798.)

Mr. Rogers in the Chair.

The Committee met pursuant to their adjournment on the 15th. ult.

Two letters from the Provincial Treasurer stating that 99 shop licenses, 99 tavern licenses, and 50 still licenses were issued to the Secretary for the periods between 5th. April 1797 and 5th. April 1798.

The Committee observe that the Secretary gives credit for only 1 shop license, 74 tavern licenses, and 26 still licenses. They therefore require information of the Secretary how he has disposed of the remaining 98 shop licenses, 25 tavern licenses, and 24 still licenses. They desire also to be acquainted why the Licenses issued to Coone. Miles, Wright and Hunt, ending 5th. April 1797 were only known to the Secretary at this late period, and why Mealy's shop license was not credited.

The Secretary will make further inquiry on the reference made respecting Cole, Haines, Strower, and Pember, and report to the House at their next sitting.

The Committee cannot dispense with the Act of Parliament requiring the immediate payment of all monies whatever into the Treasurer's hands, and otherwise they look for compliance with their order and expect to receive the Secretary's further report to-morrow, as well as an intimation from the Treasurer that he has received all monies whatever that may be due, as the House is now about to proceed upon the consideration of the disbursements to be made in the usual manner.

They recommend that immediate communication of these proceedings be made to the Secretary with the consent of the House. (Progress reported.)



Committee of the Whole House. (4th. July 1798.)

Mr. Rogers in the Chair.

The Committee met pursuant to their adjournment of yesterday and read two letters (No. 5 & 6) from the Secretary, and a letter (marked D) from the Treasurer.

One of the former states that the Secretary has paid this day into the hands of the Treasurer the monies collected by him on Licenses, and the Treasurer acknowledges the receipt of £61. 15. 0. on account from 5th. April 1798.

The other of the Secretary's letters corrects a mistake of the word "now" for "not" and states that he has 45 blank Shop Licenses, 25 blank Tavern Licenses and 24 blank Still Licenses to account for to the Receiver General.

Read also the Treasurer's letter of this date (marked E). The Committee then perceiving that the sum of £1529. 8. 7¼. is to be disposed of as per paper marked A proceeded on the consideration of the disbursements necessary to be voted, and having made some progress adjourned till to-morrow. (Progress reported.)

Committee of the Whole House. (July 5th. 1789.)

Mr. Rogers in the Chair.

The Committee met pursuant to adjournment, and after mature deliberation recommended it to the House to vote the following sums, to wit.

To the Late Speaker the Balance due to him	200.	0.	0.
To the Present Speaker	200.	0.	0.
To go towards defraying the expenses of printing the Acts £50, the Journals £40., and £10. still due to	100.	0.	0.
Mr. Tiffany for printing the Journals of the 5th. Sessions of the last Parliament for the use of the Province	249.	0.	0.
To ditto to reimburse twelve Members their travelling ex- penses and during their atten- dance in Parliament this Ses- sion the new mode of assess- ment not taking place this year			
To the Master in Chancery	50.	0.	0.
Carried forward	799.	0.	0.

Brought forward	799.	0.	0.
To the Clerk of the Legislative Council	125.	0.	0.
To the Usher of the Black Rod	50.	0.	0.
To the Chaplain of the Legislative Council	30.	0.	0.
To the Doorkeeper of ditto	15.	0.	0.
To the same allowance to the Officers of the House of Assembly	220.	0.	0.
To the Clerks of both Houses for stationery	20.	0.	0.
To ditto Office firewood and Candles	20.	0.	0.
Towards liquidating £750. due to the Receiver General	250.	0.	0.
	1529.	0.	0.

The Committee then resolved that a Copy of their Journal be presented to the House as constituting their Report, which Report was accepted.

A Message from His Honor the President requiring the attendance of the House in the Legislative Council Chamber.

And the House having attended there accordingly His Honor was pleased to give his assent in His Majesty's name to the following Acts, to wit:—

An Act to repeal an Ordinance passed in the Twenty Fifth year of His Majesty's Reign, intituled an Ordinance concerning Advocates, Attornies, Solicitors, and Notaries, and for the more easy collection of His Majesty's Revenues.

An Act to ascertain and establish on a permanent footing the boundary lines of the different Townships of this Province.

An Act to repeal part of an Act passed in the Thirty Seventh year of the Reign of His Majesty, entitled an Act to extend the Jurisdiction and regulate the proceedings of the District Court and Court of Requests and to make further provision for the same.

And His Honor at the same time was pleased to reserve the following Bills for the signification of His Majesty's pleasure thereon, to wit:—

A Bill for the better division of the Province.

A Bill to amend part of an Act passed in the Thirty Fourth year of the Reign of His Majesty, entitled an Act to establish a Superior Court of Civil and Criminal Jurisdiction, and to regulate the Court of Appeal, and also to amend and repeal part of an Act passed in the ThirtySeventh Year of the Reign of His Majesty, entitled an Act for regulating the practice of the Court of Kings Bench and to make further provision respecting the same.

A Bill to alter the method of performing Statute Labour on the Highways.

A Bill for the more uniform laying of assessments.

After which His Honor was pleased to make the following Speech to both Houses of Parliament.

Honorable Gentlemen of the Legislative Council and Gentlemen of the House of Assembly:—

The calls of your private concerns are becoming too urgent for me to wish to longer detain you from them. I look forward, therefore, with an anxious hope of seeing the roads to the Capital in such a state of improvement as may admit of the assembling the Legislature in Winter, when more time might be spared to your Parliamentary duties without materially interfering with your other avocations.

At this very critical and eventful period I cannot too earnestly impress upon your minds the necessity of strictly enforcing your Militia Laws that your active

vigilance in your respective stations may render it difficult for any person to screen himself from being enrolled in some Militia Corps, so that every man capable of bearing arms may be held in constant readiness to assist in repelling all hostile attempts against either Province.

I must not at the same time omit to call upon you for your most zealous exertions in suppressing vice, immorality and profaneness among the people, that by the general practice of true piety and virtue this Province may merit the Divine Protection and Favour, without which no Nation or individual—though ever so mighty—can expect to prosper.

And then the Honorable the Speaker of the Legislative Council in His Honor the President's Name declared the Parliament prorogued until Monday the Thirtieth day of August next, and it was prorogued accordingly.

A True Copy (Signed)

A. Macdonell, Clerk Ass'y.

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[Journal of the Assembly of the Province of Upper Canada in 1798.

Certified to be a True Copy

(Signed) George Mayer

Librarian and Keeper of  
Records.

Colonial Office, 18th July 1835.]





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Journal  
OF THE  
HOUSE OF ASSEMBLY  
OF THE  
Province of Upper Canada  
1799

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Journal  
OF THE  
HOUSE OF ASSEMBLY  
OF THE  
Province of Upper Canada,  
1799.

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At third session of the second Parliament of the Province of Upper Canada, begun and held in the Town of York on Wednesday the Fifth day of June in the Thirty-Ninth year of the Reign of Our Sovereign Lord George the Third, of Great Britain, France and Ireland, King, Defender of the Faith, and so forth; and in the year of Our Lord One Thousand Seven Hundred and Ninety Nine.

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York, Wednesday, 5th. June 1799.

This being the day appointed by proclamation for the Provincial Parliament to meet and sit, and the Officers of the House according to their duty attending in their places

Mr. Speaker took the Chair

And for want of a Quorum adjourned until Monday next.

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*Monday 10th. June 1799.*

According to adjournment Mr. Speaker took the Chair; and for want of a Quorum adjourned until Wednesday next at Twelve o'clock.

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*Wednesday 12th. June 1799.*

Prayers were read.

Mr. Speaker informed the House that during the late recess an Instrument in writing had been delivered and addressed to him in the following words.

"We whose names are underwritten, being two Members of the House of Assembly, do hereby certify that Christopher Robinson, late Member of the said House, serving as the Knight of the Shire for the County of Addington, died upon the second day of November.

“And we give you this notice to the intent that you may issue your Warrant to the Clerk of the Crown to make out a new writ for the election of a Knight to serve in Parliament for the said County of Addington, in the room of the said Christopher Robinson.

Given under Our hands this Twentieth day of Novr. 1798.

To the Hon.  
D. W. Smith  
Speaker of the  
House of Assembly.

ROBERT I. D. GRAY  
Member for Stormont.  
TIM y. THOMPSON  
Member for Lennox.

And that in consequence thereof he had issued agreeable to the usage of Parliament his Warrant for a new Writ to issue for the election of a Knight to serve for the County of Addington in the room of the said CHRISTOPHER ROBINSON, Esq. deceased.

His Majesty's Writ of Dedimus Potestatem directed to Angus Macdonell, Esquire, was read, by which the said Angus Macdonell appeared duly authorized to administer the Oath appointed by Law to be taken and subscribed by every Member of this House previous to sitting or voting therein. After which Mr. Rogers and Mr. Jessup brought within the Bar William Fairfield, Esquire, and leading him up to the Chair introduced him to Mr. Speaker as the Knight elected to represent in Parliament the County of Addington in the room of the late Christopher Robinson, Esquire, deceased.

And thereupon Mr. Fairfield produced an indenture entered into by and between Pool England, Esquire, Returning Officer for the County of Addington and certain of the principal inhabitants of the said County which was compared and collated with a counterpart thereof as laid before the House by William Jarvis, Esquire, Secretary of the Province, acting in this respect on behalf of the Clerk of the Crown in Chancery, and by which it appeared that the said Mr. Fairfield was duly elected and returned to represent the aforesaid County in Parliament. And having taken the Oath and subscribed the Roll containing the same he took his seat accordingly.

The minutes of the proceedings of the House on Monday and Wednesday last were read.

A Message from His Honor the President commanding the attendance of the House in the Legislative Council Chamber was received by the Gentleman Usher of the Black Rod.

And the House having attended there accordingly His Honor was pleased to make the following speech to both Houses of Parliament.

Honorable Gentlemen of the Legislative Council and Gentlemen of the House of Assembly:—

I have the honor of meeting you again in Parliament to co-operate with you in whatever may tend to promote the true interests or establish the prosperity of this Province.

Nothing, however, occurs to me at present which appears to press for immediate consideration, except the renewal of such necessary laws as may be near expiring, and that in the course of your deliberations it may possibly strike you, as it has me, that the increasing population of the Towns (particularly of this Capital) begins to call for a Police adapted to their varying wants and the more orderly government of their respective inhabitants.

I have it in command to inform you, Gentlemen, that your very loyal and dutiful joint Address to His Majesty towards the close of your last session was received by the King in the most gracious manner, and that His Majesty was pleased to express his peculiar satisfaction at the attention paid by the Legislature to the future happiness of his faithful subjects in Upper Canada, by the means they are taking to lay the foundation of sound learning and religious education for the benefit of the rising generation. I have likewise received from the Secretary of State an Order of Council confirming the reserved Act, passed in the first Session of the present Parliament, for extending the provisions of the Marriage Act that was passed in the second Session of the last Parliament.

The articles of a Provisional agreement made and entered into at Montreal on the eleventh day of last February by the Commissioners from this Province and from that of Lower Canada, will be submitted to your consideration, together with the Inspector's Reports of articles (on which duties on importation have been imposed by the Legislature of Lower Canada) which passed the Coteau-Du-Lac upwards, between the first day of January and the thirty-first of December last.

Gentlemen of the House of Assembly:—

I have directed the accounts of the Provincial Revenues received and paid by the Provincial Treasurer since the recess to be laid before you for your information.

Honorable Gentlemen, and Gentlemen,

I am happy to inform you that the intelligence communicated to me in the beginning of the Winter respecting a combined attack of this Province said to be in preparation from the side of the Mississippi turns out to have had little or no foundation. It has, however, had the very pleasing effect of evincing our internal strength to repel any hostile attempt from that quarter. For I cannot sufficiently applaud the very animated exertions of the Lieutenants of Counties, and the loyal spirit and zeal exhibited by the Militia of the several Districts on this occasion; whereby two thousand Volunteers from the respective corps thereof were immediately put into a state of readiness to march with their army at a moment to wherever they might be ordered, and I am persuaded that the rest would have soon followed with equal alacrity if their services had been wanted.

(Signed) Peter Russell,

York, June 12th. 1799.

President &c. &c.

The House being returned and the Speaker having taken the Chair

Mr. Solicitor General moved, that the House do now resolve itself into Committee to go into the consideration of His Honor's Speech, and being seconded by Mr. Hardison the House resolved itself into Committee accordingly.

Mr. Fraser in the Chair.

The Committee went through the consideration of the said Speech.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the consideration of the said Speech, and had directed him to report the draught of an Address in answer thereto.

Which Report was accepted, and the said draught being read was agreed to.



Mr. Rogers being seconded by Mr. Jones moved that the said Address as draughted and now read be engrossed and that a Committee be appointed to wait upon His Honor the President to know when he will be pleased to receive the House with the same.

Ordered thereupon, That the said Address be engrossed, and that Mr. Jessup and Mr. Fairfield be a Committee to wait upon His Honor accordingly.

On the motion of Mr. Rogers seconded by Mr. Fairfield

Ordered, That the names of the Members of this House be called over on Monday next.

On the motion of Mr. Solicitor General seconded by Mr. Jessup that the House do now adjourn

The House adjourned accordingly.

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*Thursday 13th. June 1799.*

The minutes of the Proceedings of the preceding day were read.

Mr. Jessup from the Committee appointed to wait upon His Honor to know when he will be pleased to receive the House with their Address in answer to His Honor's Speech reported that the Committee had waited upon His Honor accordingly, and that His Honor was pleased to inform them that he will receive the House with their said Address this day by the hour of twelve o'clock.

Mr. Rogers by leave of the House received at the Bar of the House and brought up the petition of Robert Hamilton, George Forsyth and Thomas Clark, and laid the same on the Table.

Mr. Solicitor General informed the House that he had received from His Honor the President, and was directed to lay before the House, the articles of provisional agreement entered into by and between the Commission on behalf of this Province, and the Commission on behalf of the Province of Lower Canada at Montreal on the 11th day of February last, and also the Inspector's return of dutiable articles which have passed Coteau-du-lac upwards between the first day of January and the 30th. of June 1798. His account of articles on which duties on importation are imposed by the Legislature of the Province of Lower Canada which have passed Coteau-du-lac upwards between the first of July and the 31st. December 1798 and likewise his account of like articles which have passed that place downwards between the same periods.

Ordered, That the same do lie upon the Table.

Mr. Speaker informed the House that he had received from the Hon. J. A. Panet, Speaker of the Commons House of Assembly, Lower Canada, a copy of the Acts of the Parliament of that Province, together with one of the Ordinances of the former Legislatures, still in force in that Province, and of the Journals of the House of Assembly of their first Parliament, and of the first session of their second, in consequence he had acknowledged his sense of that Gentleman's polite advances by a letter in the following words, to wit:

York, 12th. October 1798.

Sir:—

I have this day the honor to receive by your directions the Journals of your House from February to May last, and the Provincial Statutes of your second Parliament, some very short time before which I received all the preceding jour-

nals and Acts, but without your letter of the 9th. Novr. last, which will account to you for my not answering it. When I transmitted our laws to you those of the Fifth Session of the first Parliament were out of print, I therefore now enclose a few sets.

Our Journals have not yet been printed, nor the Statutes of the last Session of Parliament; when they are they shall be transmitted to you.

The proceedings of the new Commission will be such as I hope will not fail to strengthen the harmony and good faith which by the blessing of God I trust will long continue to link the chain of all His Majesty's Dependencies, particularly of those naturally connected branches of the Empire, the two Canadas.

I have the Honor to be

(Signed) D. W. Smith.

To the Hon. J. A. Panet, Esq.

Speaker of the Hon. the House  
of Commons, Lower Canada.

Mr. Speaker then acquainted the House that they were to consider the said Books as appropriated to their use, and he directed the same to be laid on the Table accordingly.

Mr. Speaker also mentioned that the petition of Hugh Macdonell, adjutant General of the Militia of this Province, had been transmitted to him, and he laid the same upon the Table.

Likewise that the provincial Treasurer had transmitted under cover his account current with the Legislature from the 5th. June 1798 to the 10th. June 1799, and a schedule of payments made by him under a vote of this House of the Fifth of July 1798, and pursuant to a Warrant of His Honor the President dated the 10th. of the same month, which he also laid upon the table.

And Mr. Speaker then stated that a balance amounting to £112. 12. 6. remained in his hands of the monies voted to defray the expenses of printing the Acts of Parliament of this Province and the Journals of the first and second sessions of the present Parliament.

The articles of provisional agreement entered into by and between the Commissioners on behalf of the Province of Lower Canada were read.

The Address of the House in answer to His Honor's Speech was read as engrossed in the following words, to wit:

To His Honor Peter Russell, Esq.

President administering the Government  
of the Province of Upper Canada, &c. &c.

May it please Your Honor:—

We His Majesty's most loyal and most dutiful subjects the Commons House of Assembly of the Province of Upper Canada in Parliament met, beg leave to return to Your Honor our Thanks for Your Honor's Speech.

We shall be ready to give our aid in the renewal of such expiring laws as may be found necessary and our deliberations shall be turned to the consideration of a Police Bill.

We are most happy to find that our Address of Thanks has been graciously received by His Majesty, and we are extremely thankful that the Royal approbation has been given to the Act extending the provisions of the Marriage Act.

We shall take into our serious consideration the Articles of Provisional Agreement as modified by the late Commissioners, as well as the accounts which Your Honor has been pleased to order shall be laid before us, and we have only to add that it affords us the highest satisfaction to learn that the inhabitants of this Province have been so unanimously determined to oppose any attempt which might have been contemplated to disturb its flourishing improvements not doubting that similiar energy will be shewn by all classes of the people to prevent the introduction of French principles and preserve uncontaminated the Constitution which the Mother Country has given us.

And the same was agreed to and signed by the Speaker.

The House waited upon His Honor therewith.

The House being returned and Mr. Speaker having resumed the Chair.

A Message was received from the Legislative Council with a Bill to revive and continue an Act passed in the first Session of this present Parliament entitled An Act for the better securing of the Province against the King's enemies, as sent down for the concurrence of this House.

Which Bill was read the first time.

On motion of Mr. Rogers seconded by Col. Macdonell the said Bill was read a second time.

The Provincial Treasurer's General Account Current with the Legislature was read.

Mr. Solicitor General moved, That as the death of the late Mr. Robinson and the absence of Mr. Street had left him singly of the Committee for revising the Journals of this House preparatory to their publication the House would name two others of the members now attending their duty in Parliament to supply the places of the said two gentlemen in the Committee of Revision, and Mr. Fraser seconded the motion.

Ordered thereupon, That two other gentlemen be added to the said Committee.

On motion of Mr. Rogers seconded by Mr. Solicitor General

Ordered, That Mr. Jones and Mr. Hardison be the two gentlemen added to the said Committee.

On the motion of Mr. Jones seconded by Mr. Fraser the House adjourned.

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*Friday 14th. June 1799.*

Prayers were read.

The Minutes of Yesterday were read.

On the motion of Mr. Rogers seconded by Mr. Fairfield, that the House do now resolve itself into Committee to go into the consideration of the Bill to revive and continue an Act passed in the first Session of this present Parliament, entitled An Act for the better securing of the Province against the King's enemies.

The House resolved itself into Committee accordingly.

Mr. Jones in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill and had concurred therein without any amendment.

Which Report was accepted.



And the said Bill being read a third time and concurred in

Ordered, That the same do pass, and it was accordingly signed by Mr. Speaker.

On the motion of Mr. Jones seconded by Mr. Rogers

Ordered, That Col. Macdonell and Capt. Fraser be a Committee to carry up the said Bill to the Legislative Council and to inform them that this House has concurred in passing the same without any amendments.

Which Committee being returned reported that they had carried up the said Bill and delivered the said message.

Mr. Solicitor General, seconded by Mr. Rogers, moved for leave to bring in a Bill, intituled an Act to ratify, approve and confirm the Provisional Agreement entered into by Commissioners on the part of this province with Commissioners on behalf of the Province of Lower Canada.

And leave was given accordingly.

Mr. Rogers seconded by Colonel Macdonell moved that the House do now adjourn, and the House adjourned accordingly.

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*Saturday 15th. June 1799.*

Prayers were read.

The Minutes of Yesterday were read.

Mr. Speaker laid before the House a letter which he had received from His Honor the President on the subject of a sum of money voted by the House at the close of their last session—in the following words:

York 14th. July 1798.

Sir:—

Having observed in the certificate you sent me of the sums *voted by the House of Assembly a sum voted by you to reimburse twelve Members their travelling expenses and during their attendance in Parliament this session the new mode of assessment not taking place this year* I was struck with the singularity of this application of the present Revenue which appeared to me to have been destined by the three branches of the Legislature to another service, and consequently not at the disposal of any single one to be diverted into a different channel without the joint concurrence of the other two. However, being diffident of my own construction of the Statutes I laid your certificate before His Majesty's Executive Council on the 9th Inst., and it was the unanimous opinion of every member present that I was not authorized to warrant the payment of any part of the present Revenues to reimburse the Members of the House of Assembly of their expenses during the last Session of Parliament, because the Law had already made an ample provision for the payment of their wages, and no other mode could be adopted except by the passing of a new Act to constitute another mode for that purpose. I must therefore beg leave to decline issuing my Warrant for the payment of the sum voted for this service until the parliament meets next year, when the right of the House of Assembly to order this application of the Revenues may be investigated.

I have the Honor to be

Sir,

Your Most Obedient Humble Servant,

(Signed) Peter Russell, Pres. &c.

And the same was read.

Mr. Solicitor General from the Committee appointed to revise the Journals of the first Session of the present Parliament reported that he was directed by the Committee to inform the House that it appeared to them proper to take the sense of the House upon the propriety of inserting at length upon the Journal a letter from the Hon. Richard Cartwright, one of the Commissioners appointed on behalf of this Province to treat with Commissioners on behalf of the Province of Lower Canada upon the subject of the Provisional Agreement entered into by and between such Commissioners, such letter being noticed in the Journal only as being read. And the Committee entertaining some doubts as to the extent of their powers in ordering the insertion thereof upon the Journals without the previous approbation of the House. He also reported a progress and requested leave to sit again.

Resolved unanimously thereupon, That the Committee are perfectly competent to decide upon the propriety of inserting the said letter, and upon other questions of a similar nature arising in the course of their revision.

A Message was received from the Legislative Council bringing down a Bill for the better ascertaining the appropriations of land to be allotted to the use of the Protestant Clergy as passed by the Legislative Council and sent down for the concurrence of this House.

Which Bill was read the first time.

On the motion of Mr. Solicitor General seconded by Mr. Beasley

Ordered, That the said Bill be read a second time on Monday.

Mr. Rogers seconded by Mr. Hardison moved for leave to bring in a Bill for the putting of apprentices, or binding to trades, Orphans and the children of parents departing this Province, and leave was given accordingly.

Mr. Jones moved for leave to bring in a Bill to repeal an Act passed in the second Session of the first Parliament of Upper Canada, intituled an Act to encourage the destroying of Wolves and Bears, seconded by Capt. Fraser.

Leave was given accordingly.

The Order of the Day being read.

The Petition of Robert Hamilton, George Forsyth, and Thomas Clark, praying for the authority of Parliament to enable them to make some necessary and extensive improvements on His Majesty's Highway leading from Queenstown to Fort Erie, and to construct a canal with locks to facilitate the passage of boats at the rapids of this latter place, and for authorizing them to collect a toll on the merchandise, peltries and stores benefitted in passing through these works as an indemnification for the expenses of the original construction, and a fund for keeping the same constantly in repair, was read.

The petition of Hugh Macdonell, Adjutant General of the Militia, praying for the payment of two years salaries due to him, was read.

On the motion of Mr. Jones seconded by Captain Fraser the House adjourned for one hour.

After which the House met and

Mr. Speaker took the chair.

A Message was received from His Honor the President by the Gentleman Usher of the Black Rod, commanding the attendance of this House in the Legislative Council Chamber.

And the House having attended accordingly

His Honor was pleased in His Majesty's name to assent to the Bill intituled "an Act to revive and continue an Act passed in the first Session of this present Parliament, entitled An Act for the better securing of the Province against the King's Enemies."

The House being returned and Mr. Speaker having taken the Chair Mr. Rogers seconded by Mr. Hardison moved that this House do now adjourn, and the House adjourned accordingly.

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*Monday 17th. June 1799.*

The House being met and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of Saturday were read.

Mr. Rogers seconded by Mr. Jessup moved for leave to bring in to-morrow a Bill to alter the method appointed by law for the payment of wages to the Members of the House of Assembly, and leave was given accordingly.

The Order of the Day was read.

The names of the Knights, Citizens, and Burgesses returned into this House as Members thereof, as duly qualified to take their seats therein were called over, whereof the five following were found to be absent.

Timothy Thompson, Esquire.	
Samuel Street	"
Thomas Smith	"
Thomas McKee	"
Richard Wilkinson	"

Mr. Speaker acquainted the House that he had received a letter from Capt. McKee, apologizing for not attending his service in Parliament because of the constant application to his duty which his appointment of Superintendent of Indian affairs required, and more especially as the death of his Father had greatly increased and multiplied the objects of his attention.

Which letter was read.

The Bill for the better ascertaining the appropriations of land to be allotted to the use of a Protestant Clergy was read the second time.

On the motion of Mr. Solicitor General seconded by Captain Fraser, that this House do now resolve itself into a Committee to take the said Bill into consideration

The House resolved itself into Committee accordingly.

Mr. Jones in the Chair.

The Committee went through the said Bill.

The Chairman reported that the Committee had gone through the said Bill and had concurred therein without any amendment, which Report was accepted.

A Bill to provide for the putting apprentices, or binding to trades, Orphans and the children of parents departing the province was read the first time.

On the motion of Mr. Rogers seconded by Mr. Beasley

Ordered, That the said Bill be read a second time to-morrow.

The Bill to repeal an Act passed in the second Session of the first provincial Parliament of Upper Canada, entitled an Act to encourage the destroying of Wolves and Bears in different parts of this province was read the first time.

Mr. Jones seconded by Captain Fraser moved that the said Bill be read a second time to-morrow, and the question having been thereupon put the House divided, and the same was carried in the negative.

The Bill to ratify, approve, and confirm the Provisional Agreement made and entered into by the Commissioners on the part of this Province and Commissioners on the part of the Province of Lower Canada was read the first time.



On the motion of Mr. Solicitor General seconded by Mr. Hardison  
Ordered, That the said Bill be read a second time to-morrow.

A Message was received from the Legislative Council requesting the concurrence of this House in passing a Bill brought down for that purpose intituled an Act for securing the Titles to lands in this province.

Which Bill was read the first time.

On the motion of Mr. Rogers seconded by Mr. Beasley,  
Ordered, That the same be read a second time on Wednesday.

On the motion of Mr. Jones seconded by Mr. Hardison the House adjourned.

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*Tuesday 18th. June 1799.*

The House being met and Mr. Speaker having taken the Chair, Prayers were read, and the Minutes of yesterday were read.

The Bill for the better ascertaining the appropriations of lands to be allotted to the use of a Protestant Clergy was read a third time, and the House having concurred therein

Ordered, That the same do pass, and the same was accordingly signed by Mr. Speaker.

Ordered, That Mr. Jones and Mr. Fairfield be a Committee to carry up the said Bill to the Legislative Council, and do inform that this House has concurred therein without any amendment.

Which Committee being returned reported that they had carried up the said Bill, and delivered the said message.

Mr. Rogers moved for leave to bring in (upon the Petition of Robert Hamilton, George Forsyth and Thomas Clark, read on Saturday last) a Bill agreeably to the prayer of the said petition to-morrow, entitled An Act to improve and amend the communication between the lakes of Erie and Ontario by land and by water,—seconded by Mr. Hardison, and leave was given accordingly.

Mr. Solicitor General seconded by Mr. Jones moved for leave to bring in a Bill upon the petition of John Dixon, read during the first Session of the present Parliament, to authorize the proprietor at the locks at the Moulinette to demand and receive toll, and leave was given.

A Bill to alter the method appointed by law for the payment of wages to the Members of the House of Assembly was read the first time.

On the motion of Mr. Rogers seconded by Mr. Jones,

Ordered, That the said Bill be read a second time to-morrow.

The Bill to ratify, approve, and confirm the Provisional Agreement made and entered into by the Commissioners on the part of this province, and Commissioners on the part of the province of Lower Canada was read the second time.

On the motion of Mr. Solicitor General seconded by Mr. Rogers that the House do now resolve itself into a Committee to take the said Bill into consideration

The House resolved itself into a Committee accordingly.

Captain Fraser in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill and had agreed to the same, which Report was accepted.

On the motion of Mr. Rogers seconded by Mr. Beasley

Ordered, That the said Bill be engrossed and read a third time on Thursday.

The Bill to provide for putting apprentices, or binding to trades, Orphans and the children of parents departing the province was read a second time.

On the motion of Mr. Rogers seconded by Mr. Cornwall, that the House do now resolve itself into a Committee to take the said Bill into consideration the House resolved itself into Committee accordingly.

Mr. Hardison in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill, and had agreed thereto with amendments, which Report was accepted.

On the motion of Mr. Rogers seconded by Mr. Hardison

Ordered, That the said Bill be engrossed, as amended, and read a third time to-morrow.

Mr. Solicitor General, by permission of the House, received at the Bar and brought up the Petition of Thomas Ward.

On the motion of Mr. Fairfield, seconded by Mr. Cornwall, the House adjourned.

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*Wednesday 19th. June 1799.*

The House being met and the Speaker having taken the Chair, Prayers were read.

The Minutes of yesterday were read.

Captain Fraser brought up and laid upon the Table the petition of several of the inhabitants of the County of York.

The House proceeded to the Order of the Day.

The Bill to provide for putting apprentices, or binding to trades, Orphans and children of parents departing the Province, under the title as amended in Committee of, an Act to provide for the education and support of Orphan children was read a third time as engrossed.

Ordered, That the said Bill do pass, and the same was accordingly signed by Mr. Speaker.

Ordered, That Mr. Thompson and Mr. Cornwall be a Committee to carry up the said Bill to the Legislative Council, and to request their concurrence therein.

Which Committee being returned reported that they had carried up the said Bill and delivered the said Message.

An Act to amend and improve the communication between the Lakes of Ontario and Erie by Land and Water was read the first time.

On the motion of Mr. Rogers, seconded by Mr. Beasley

Ordered, That the said Bill be read a second time to-morrow.

The Bill to authorize the proprietor of the locks at the Moulinette to demand and receive Toll was read the first time.

Mr. Solicitor General moved that the said Bill be read a second time to-morrow,—seconded by Mr. Jones.

Mr. Rogers moved that the motion of Mr. Solicitor General be amended, and that instead of the word "to-morrow" be inserted the words "in three months." Seconded by Mr. Fairfield.

Whereupon the question upon the original motion of Mr. Solicitor General was put, and the House dividing thereupon it was carried in the negative.

And then the question having been put upon the amendment thereof, as moved by Mr. Rogers, the same was carried in the affirmative.

Ordered, accordingly, That the said Bill be read again in three months.

The Bill entitled an Act to continue an Act entitled an Act for securing the Title to lands in this province was read the second time.

The Bill to alter the method appointed by law for the payment of wages to the Members of the House of Assembly was read a second time.

On the motion of Mr. Rogers seconded by Mr. Beasley, that the House do now resolve itself into a Committee to take the said Bill into consideration

The House resolved itself into Committee accordingly.

Mr. Thompson in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman brought up the report of the Committee in writing as follows, to wit

The Committee having gone through the Bill to alter the method appointed by an Act passed in the 33rd. year of His Majesty's Reign for the payment of wages to the Members of the House of Assembly, and report the same with amendments, suggesting it at the same time to the House that it may be expedient to resolve and order that a deputation of three Members do wait upon His Honor the President, with the Humble Request of this House that he will be pleased to direct the Secretary of the Province to pay into the hands of the provincial Treasurer without delay the sum of £672. 0. 0. together with the duties received by him upon the 63 Still Licenses, as reported to be due by the Treasurer on the fifth day of April last; as well as the duties he is required by law to pay into the Treasury as soon as may be after the receipt thereof,—commencing on the same fifth of April last. Which Report was accepted.

On the motion of Mr. Rogers seconded by Mr. Hardison, that the House do now resolve itself into Committee to take the said Bill into consideration

The House resolved itself into Committee accordingly.

Mr. Fairfield in the Chair.

The Committee went through the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill and had concurred therein without any amendments, which Report was accepted.

On the motion of Mr. Rogers, seconded by Mr. Fairfield,

Ordered, That the said Bill be engrossed and read a third time to-morrow.

On the motion of Mr. Rogers, seconded by Mr. Jones,

Ordered, That Mr. Solicitor General, Captain Fraser, and Mr. Thompson be a Committee to wait upon His Honor the President, to communicate to him the request of the House conformably to the Report of the Committee of the whole House as aforesaid. And that then said Bill be engrossed as amended, and read a third time to-morrow.

On the motion of Mr. Rogers, Seconded by Mr. Jones, that the House do now adjourn, the House adjourned accordingly.



*Thursday 20th. June 1799.*

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of yesterday were read.

Mr. Solicitor General from the Committee appointed to wait upon His Honor the President to request on behalf of this House that he may be pleased to command the Secretary of the Province to account forthwith for, and pay into the hands of the Provincial Treasurer, the monies which he is in arrears for the Public Revenues collected by him, reported that the Committee had waited upon His Honor and delivered to him the said message as directed, and that His Honor was pleased to inform them that the request of the House should be complied with.

Mr. Fairfield, seconded by Mr. Beasley, moved for leave to bring in a Bill to amend an Act intituled an Act to ascertain and establish on a permanent footing the lines of the different townships in this Province. Leave was given accordingly.

Mr. Solicitor General, seconded by Mr. Hardison, moved for leave to bring in a Bill intituled "An Act to enable John Dixon to receive toll for his locks at Moulinette.

Whereupon the question being put, that he may have leave, the House divided, and the same was carried in the negative.

Mr. Solicitor General, seconded by Mr. Hardison, moved for leave to bring in a Bill, intituled "An Act to enable a Member of the House of Assembly to vacate his seat." Leave was given accordingly.

The House proceeded to the Order of the Day.

The Bill to alter the method appointed by Law for the payment of wages to the Members of the House of Assembly, intituled, as amended by the Committee, "An Act to alter the method appointed for the payment of wages to the Members of the House of Assembly by an Act passed in the 33rd. year of His present Majesty's Reign, intituled an Act to authorize and direct the laying and collecting of assessments and rates in every District within this Province, and to provide for payment of wages to the Members of the House of Assembly" was read the third time as engrossed.

Ordered, That the said Bill do pass, and Mr. Speaker accordingly signed the same.

Mr. Rogers, seconded by Mr. Beasley, moved that Mr. Solicitor General and Captain Fraser be a Committee to carry up the said Bill to the Legislative Council, and to request their concurrence in passing the same.

Ordered accordingly.

Upon which Mr. Solicitor General, seconded by Captain Fraser, moved that it be henceforward a standing rule of this House that no Member shall be compelled to serve on a Committee for carrying up to the Legislative Council any Bill for their concurrence, or for returning any Bill to them concurred in by this House, who shall be opposed to the principles of such Bill, and shall have signified his dissent or disapprobation at any stage of the progress thereof through the House, previous to its signature by the speaker.

And the question thereof being put to the House divided equally,—yeas five,—nays five.

Mr. Speaker was then called upon to determine. He decided for the motion in the affirmative, and the object of the said motion became a standing rule of the House accordingly.

The Bill to continue an Act intituled an Act for securing the Title to lands in this Province was read a third time, and the House being concurred therein,

Ordered, That the same do pass, and Mr. Speaker signed the same accordingly.

Mr. Rogers moved that Mr. Jones and Mr. Hardison be a Committee to carry up the said Bill to the Legislative Council, and to inform them that the House concurred in passing the same without any amendments.

The Bill to ratify, approve and confirm the Provisional Agreement made and entered into by Commissioners on the part of this Province and Commissioners on the part of Lower Canada was read the third time as engrossed.

Ordered, That the said Bill do pass, and the same was accordingly signed by Mr. Speaker.

On the motion of Mr. Jones, seconded by Mr. Hardison,

Ordered, That Mr. Rogers and Mr. Jessup be a Committee to carry up the said Bill to the Legislative Council, and to request their concurrence therein.

The petition of Thomas Ward, praying to be relieved from the hardships which a strict construction of the sixth clause of the Act for the better regulating the practice of Law subjects him to was read.

On the motion of Mr. Rogers, seconded by Mr. Hardison,

Ordered, That the Solicitor General and Mr. Thompson be a Committee to take the said Petition into their consideration, and to report thereon.

The Bill to improve and amend the communication between the Lakes of Ontario and Erie, by Land and by Water, was read the second time.

On the motion of Col. Macdonell, seconded by Capt. Fraser, that this House do now adjourn

The House adjourned accordingly.

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*Friday 21st. June 1799.*

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of yesterday were read.

Mr. Rogers, from the Committee appointed to carry up to the Legislative Council the Bill to ratify, approve and confirm the Provisional Agreement made and entered into by Commissioners on the part of this Province and Commissioners on the part of the Province of Lower Canada, and to request their concurrence in passing the same, reported that the Committee had carried up the said Bill and delivered the said message.

Mr. Solicitor General, from the Committee appointed to carry up to the Legislative Council the Bill intituled "An Act to alter the method appointed for the payment of wages to the Members of the House of Assembly by an Act passed in the thirty-third year of His present Majesty's Reign, intituled an Act to authorize the laying and collecting of assessments and rates in every district within this Province, and to provide for the payment of wages to the Members of the House of Assembly," and to request their concurrence therein, reported that the Committee had carried up the said Bill and delivered the said Message.

Mr. Jones, from the Committee appointed to return to the Legislative Council the Bill to continue an Act intituled an Act for securing the Titles to lands in this province, and to inform them that this House has concurred therein without any amendments, reported that they had returned the said Bill and delivered the said message accordingly.

Mr. Speaker acquainted the House that he had received a letter from the Hon. Robert Hamilton, requesting to be heard in support of the Bill to improve and amend the communication between the Lakes of Ontario and Erie by Land and by Water when the same should be considered of by the House in Committee.

Which Letter was read.

On the motion of Mr. Rogers, seconded by Mr. Beasley,

Resolved, That the Hon. Robert Hamilton have leave to attend and be heard for the information of the Committee accordingly.

The Bill to enable a member of the House of Assembly to vacate his seat was read the first time.

On the motion of Mr. Solicitor General, seconded by Capt. Fraser,

Ordered, That the said Bill be read a second time to-morrow.

The Petition of several of the inhabitants of the County of York, signed by John Wilson, Parshal Terry, George Playter and Thomas Barry, Esquires, and by thirty others, and praying for the authority of Parliament to prevent the destruction of salmon at the time of spawning was read.

Mr. Beasley, Seconded by Mr. Thompson, moved for leave to bring in on Monday a Bill for the better preservation of Salmon.

Leave was given.

Mr. Rogers, seconded by Mr. Beasley, moved that the House do now resolve itself into a Committee to take into consideration the Bill to improve and amend the communication between the lakes of Ontario and Erie by Land and Water, and the House resolved itself into Committee accordingly.

Mr. Solicitor General in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill, and had directed him to report a progress, and to request leave to sit again to-morrow, which Report was accepted and leave was given accordingly.

On the motion of Mr. Beasley, seconded by Mr. Hardison, that the House do now adjourn, the House adjourned accordingly.

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*Saturday 22nd. June 1799.*

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of Yesterday were read.

Mr. Beasley, seconded by Mr. Hardison, moved for leave to bring in on Monday next a Bill entitled "An Act to explain an Act for the further regulation of the Militia of this province, and leave was given to him accordingly.

The House proceeded to the Order of the day.

The Bill to enable a Member of the House of Assembly to vacate his seat was read a second time.

On the motion of Mr. Rogers, seconded by Mr. Fairfield, that the House do now resolve itself into Committee to take the said Bill into their consideration the House resolved itself into Committee accordingly.

Mr. Cornwall in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.



The Chairman reported that the Committee had gone through the same, and had agreed thereto with amendments, which Report was accepted.

On the motion of Mr. Rogers, seconded by Mr. Jessup,

Ordered, That the said Bill be engrossed and read a third time on Monday next.

On the motion of Mr. Jones, seconded by Mr. Beasley, that Colonel Macdonell have leave of absence from the House during the remainder of the present Session leave was given accordingly.

Mr. Solicitor General, from the Committee appointed to take into consideration and to report upon the Petition of Thomas Ward, brought up the Report of the said Committee in writing as follows, to wit:

Report of Mr. Solicitor General and J. Thompson, Esquire, the Committee appointed to take into their consideration the Petition of Mr. Thomas Ward.

The Committee humbly beg leave to submit to the Honorable House of Assembly their report with respect to the Petition of Thomas Ward.

In doing this they hope this House will do them the justice to consider how much delicacy the subject submitted to their consideration required.

The first thing that occurred to the Committee, was the importance which the result of their deliberations must be of, to the person in question, on whatever side their decision leans.

And under this impression they were happy in taking advantage of the power which this House vested in them to call upon such persons and for such vouchers as they thought might tend to make their Report more acceptable to this House, and as satisfactory to the Petitioner as is consistent with the motives that have induced them to report as they have done.

The Committee, impressed with a grateful sense of the manner in which the House has referred this matter, cannot but observe that in the course of their deliberations it appeared to them that it was an object of importance, not only to the Society which has been instituted by the Legislature of this Province, and which Society is by law amply vested with powers for its own internal regulation, but also to the province in general.

It appears to the Society to be of importance because should this House make a law to admit any person of the said Society without its own concurrence, would defeat the beneficent intentions of the Legislature and take from the Society what is now estimated by it as one of its first and most important privileges.

It is of consequence to the Country that the mode of admission to the Law Society should not be in the manner prayed for in this instance. There is no certificate of capacity produced, nor any mode of examination that this House can fall upon at present to authorize the admittance of any person to the practice of the Law, and it might again defeat the intention of the Legislature in securing to the Province a learned and honorable body to assist their fellow subjects when occasion might require, and to support their Constitution.

The Committee wish it to be understood that from any personal knowledge they have of the petitioner they humbly submit to this House that they by no means wish to insinuate in the smallest degree that the Petitioner is an improper object to admit to the practice of an Attorney, but with the greatest deference to the wisdom of this House observe that they do not consider it may operate very much to the disadvantage of the Petitioner should this House think proper to refer him to the Law Society and to the Act which established it.

The Committee hope that this House will consider their situation and accept

this Report, made from no other motive than to do ample justice to the petitioner and to discharge their duty as members of the Law Society as well as Guardians of the Public in their Legislative capacity.

Robt. I. D. Gray  
Tim'y Thompson.

Ordered, That the said Report be accepted.

On the motion of Mr. Solicitor General, seconded by Colonel Macdonell, that this House do now resolve itself into Committee to consider further of the Bill to improve and amend the communication between the Lakes of Ontario and Erie by Land and by Water, the House resolved itself into Committee accordingly.

Mr. Solicitor General in the Chair.

The Committee resumed the consideration of the said Bill.

On notice that Black Rod was at the Door of the House and prayed admittance

Mr. Speaker resumed the Chair.

The Chairman reported a further progress and requested leave to sit again this day, which Report was accepted and leave was given accordingly.

A Message was received from the Legislative Council informing that the Honorable the Legislative Council do request that the House of Assembly will appoint a Committee to meet a Committee of this House for the purpose of drawing up an address to His Honor the President, requesting that in order to give effect to a Bill passed by the two Houses and entitled "An Act for the better ascertaining the appropriations of land to be allotted to the use of a Protestant Clergy" such Act should be transmitted to England without delay for the purpose of being laid before Parliament previous to the signification of His Majesty's assent thereto.

On the motion of Mr. Solicitor General, seconded by Mr. Thompson,

Resolved, That a Committee of three Members be appointed to meet such Committee as shall be appointed by the Legislative Council after the two Houses of Parliament shall have adjourned this day for the purpose of draughting an Address to His Honor the President, praying that the Bill for the better ascertaining the appropriations of land to be allotted for the use of a Protestant Clergy may be transmitted without delay to England in order to be laid before the Parliament of Great Britain previous to the signification of His Majesty's pleasure therein.

On the motion of Mr. Solicitor General, seconded by Mr. Cornwall,

Ordered, That Mr. Jones, Mr. Rogers and Mr. Thompson be a Committee of conference accordingly.

On the motion of Mr. Rogers, seconded by Mr. Jones,

Ordered, That Mr. Solicitor General and Mr. Beasley be a Committee to inform the Legislative Council that this House has appointed a Committee in conformity to their message of this day to draught an Address to His Honor the President, in conference with a Committee of the Legislative Council, praying that His Honor do transmit to England without delay the Bill for the better ascertaining the appropriations of land to be allotted to the use of a Protestant Clergy, in order that the same may be laid before the Parliament of Great Britain previous to the signification of His Majesty's pleasure therein.

Which Committee being returned reported that they had carried up to the Legislative Council the said Message accordingly.

A Message was received from the Legislative Council, informing that they had concurred in passing without any amendment "A Bill to ratify, approve, and



confirm the Provisional Agreement made and entered into by the Commissioners on the part of this Province and Commissioners on the part of the Province of Lower Canada, and returning the same as a Revenue into this House.

And also informing that the Legislative Council had concurred in passing a Bill to provide for the education and support of Orphan Children, with an amendment in which they requested the concurrence of this House.

Which amendment having been read,

On motion of Mr. Rogers, seconded by Mr. Hardison, that the House do now resolve itself into a Committee to go into the consideration of the said amendment

The House resolved itself into Committee accordingly.

Mr. Jones in the Chair.

The Committee went through the consideration of the said amendment.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had taken into consideration the said amendment, and had agreed thereto, which Report was accepted.

Ordered, That the said amendment be concurred in, and that the said Bill do pass as amended.

And then the House resolved itself into a Committee to resume the consideration of the Bill to improve and amend the communication between the Lakes of Ontario and Erie by land and water.

Mr. Solicitor General in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill, and had agreed thereto with amendments, which report was accepted.

Ordered, That the said Bill be engrossed, and read a third time on Monday next.

On the motion of Mr. Solicitor General, seconded by Mr. Rogers

Resolved, That a Committee of three members be appointed to take into consideration and report upon the fees which shall be taken by the Clerk of this House in all private bills.

On the motion of Mr. Rogers, seconded by Mr. Beasley,

Ordered, That Mr. Cornwall and Mr. Solicitor General and Mr. Jessup be a Committee to consider of the said fees and to report thereon.

On the motion of Mr. Beasley, seconded by Mr. Jessup, that the House do now adjourn, the House adjourned accordingly.

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*Monday 24th. June 1799.*

The House being met and Mr. Speaker having taken the Chair the minutes of Saturday were read.

On the motion of Mr. Cornwall, seconded by Mr. Jones,

Ordered, That the order for the third reading of the Bill entitled "An Act to amend and improve the communication between the Lakes of Ontario and Erie by land and by water" be discharged, and that the said Bill be read a third time in three months.

And then the House proceeded to the Order of the Day.

The Bill to enable a Member of the House of Assembly to vacate his seat was read a third time as engrossed.



Ordered, That the said Bill do pass, and the same was accordingly signed by Mr. Speaker.

Mr. Speaker signed the Bill to provide for the education and support of Orphan Children, concurred in as amended, and engrossed accordingly.

On the motion of Mr. Beasley, seconded by Mr. Cornwall,

Ordered, That Mr. Thompson and Mr. Hardison be a Committee to carry up to the Legislative Council the Bill to enable a Member of the House of Assembly to vacate his seat, and to request their concurrence therein, and likewise to carry back at the same time to the Legislative Council, the Bill to provide for the education and support of Orphan Children, and to inform them that this House has concurred in their amendment therein.

Which Committee being returned reported that they had carried up the said Bills to the Legislative Council, and delivered the said messages accordingly.

Mr. Jones, from the Committee appointed to draught and Address to His Honor the President in conference with a Committee of the Legislative Council, praying that he may be pleased to transmit to England without delay the Bill for the better ascertaining the appropriations of land allotted to the use of a Protestant Clergy, reported that they had draughted an Address accordingly.

A Message was received from the Legislative Council bringing down for the concurrence of this House the said Address as engrossed and signed by the Legislative Council, and having been read the said Address was agreed to and signed by Mr. Speaker,

On the motion of Mr. Fairfield, seconded by Mr. Beasley,

Ordered, That Mr. Jones and Captain Fraser be a Committee to return the said Address to the Legislative Council, and to inform them that this House has agreed thereto.

Which Committee being returned reported that they had returned the said Address and delivered the said message accordingly.

The Bill to explain an Act intituled "An Act for the further regulation of the Militia of this Province" was read the first time.

On the motion of Mr. Beasley, seconded by Mr. Hardison,

Ordered, That the said Bill be read a second time to-morrow.

The Bill to amend an Act intituled "An Act to ascertain and establish on a permanent footing the boundary lines of the different Townships of this Province" was read the first time.

On the motion of Mr. Fairfield, seconded by Mr. Rogers,

Ordered, That the said Bill be read a second time to-morrow.

The Bill for the better preservation of Salmon was read the first time.

On the motion of Mr. Beasley, seconded by Mr. Hardison,

Ordered, That the said Bill be read a second time to-morrow.

On the motion of Mr. Rogers, seconded by Mr. Fairfield, that this House do now adjourn, the House adjourned accordingly.

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*Tuesday 25th. June 1799.*

The House being met, and Mr. Speaker having taken the Chair, the Minutes of yesterday were read.

Mr. Thompson, seconded by Mr. Rogers moved for leave to bring up and lay upon the Table the Petition of Darius Dunham and 119 others, members of a

Methodist Society, and leave being given he brought up and laid upon the Table the same accordingly.

On the motion of Captain Fraser, seconded by Mr. Cornwall,

Ordered, That the Bill to improve and amend the communication between the Lakes of Ontario and Erie by land and by water, as amended in Committee and ordered to be read in three months, be in the meantime printed, and that fifty copies thereof be distributed among the Members of this House for the information and opinion of their constituents upon the advantages thereof.

A Message was received from the Legislative Council requesting that this House do appoint a Committee of the Legislative Council, for the purpose of waiting upon His Honor the President with the joint Address of both Houses on the subject of the Bill for the better ascertaining the appropriations of land to be allotted to the use of a Protestant Clergy.

On the motion of Mr. Rogers, seconded by Mr. Hardison,

Ordered, That Mr. Jessup, Captain Fraser, and Mr. Thompson be a Committee to accompany a Committee of the Legislative Council in waiting upon His Honor the President with the said joint Address on the subject of the said Bill, and that Mr. Jessup do inform the Legislative Council of the appointment of such Committee agreeably to their message.

Mr. Jessup being returned reported that he had carried up the said message to the Legislative Council.

The Bill to explain an Act intituled "An Act for the further regulation of the Militia of this Province" was read the second time.

On the motion of Mr. Beasley, seconded by Mr. Hardison, that the House do now resolve itself into Committee to consider of the said Bill—

The House resolved itself into Committee accordingly.

Mr. Beasley in the Chair.

The Committee went into the consideration of the said Bill.

On notice that Black Rod was at the Door of the House and requested admittance,

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill, and had made a progress, and requested leave to sit again this day, which Report was accepted and leave was given accordingly.

A Message was received from the Legislative Council bringing down the Bill to enable a Member of the House of Assembly to vacate his seat, returned into this House concurred in by the Legislative Council with amendments, which amendments were read.

And then the House resolved itself into Committee to take again into consideration the Bill to explain an Act intituled "An Act for the better regulation of the Militia of this Province."

Mr. Beasley in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill, and had agreed thereto with amendments, which report was accepted.

On the motion of Mr. Beasley, seconded by Mr. Hardison,

Ordered, That the said Bill be engrossed as amended, and read a third time to-morrow.

On the motion of Mr. Rogers seconded by Mr. Solicitor General,

Ordered, That the amendments made by the Legislative Council in the Bill to enable a Member of the House of Assembly to vacate his seat be concurred in and that the said Bill do pass as amended, under the title as amended of "An Act to enable persons holding the office of Registrar to be elected Members of the House of Assembly."

The Bill to amend an Act intituled "An Act to ascertain and establish on a permanent footing the boundary lines of the different Townships of this Province" was read the second time.

On the motion of Mr. Fairfield, seconded by Mr. Beasley,— That the House do now resolve itself into Committee to take the said Bill into consideration—

The House resolved itself into Committee accordingly.

Mr. Thompson in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill, and had agreed thereto with amendments, which Report was accepted.

On the motion of Mr. Fairfield, seconded by Mr. Hardison,

Ordered, That the said Bill be engrossed as amended, and read a third time to-morrow.

The Bill for the better preservation of Salmon was read a second time.

On the motion of Mr. Beasley, seconded by Mr. Hardison,— That the House do now resolve itself into Committee to take the said Bill into consideration—

The House resolved itself into Committee accordingly.

Captain Fraser in the Chair.

The Committee went into consideration of the said Bill.

On notice that Black Rod was at the Door of the House and requested admittance,

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill, and had made a progress therein, and requested leave to sit again this day, which Report was accepted, and leave was given accordingly.

A Message was received from the Legislative Council, bringing down the Bill to alter the method appointed for the payment of wages to the Members of the House of Assembly by an Act passed in the thirty-third year of His present Majesty's Reign, entitled "An Act to authorize and direct the laying and collecting of assessments and rates in every District within the province, and to provide for the payment of wages to the Members of the House of Assembly" returned into this House as concurred in by the Legislative Council with an amendment, which amendment was read.

And then the House resolved itself again into Committee to consider further of the Bill for the better preservation of Salmon.

Captain Fraser in the Chair.

The Committee went through the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill, and had agreed thereto with amendments. Which Report was accepted.

On the motion of Mr. Beasley, seconded by Mr. Hardison,

Ordered, That the said Bill be engrossed as amended, and read a third time to-morrow.

On the motion of Mr. Beasley, seconded by Mr. Hardison,— that this House do now adjourn—the House adjourned accordingly.



*Wednesday 26th. June 1799.*

The House being met, and Mr. Speaker having taken the Chair, Prayers were read, and the Minutes of Yesterday were read.

Mr. Beasley, seconded by Capt. Fraser moved for leave to bring up the petition of Sylvester Tiffany.

And leave being granted Mr. Beasley brought up and laid upon the Table the same accordingly.

The House then proceeded to the Order of the Day.

The Bill to explain an Act intituled "An Act for the further regulation of the Militia of this Province" was read a third time as engrossed.

On the motion of Mr. Rogers, seconded by Mr. Beasley,

Ordered, That the title of the said Bill be amended, and that the same be intituled "An Act to explain and amend an Act entitled an Act for the further regulation of the Militia of this Province." And the title thereof being amended accordingly.

Ordered, That the said Bill do pass, and the same was signed accordingly by Mr. Speaker.

The Bill to amend an Act intituled "An Act to ascertain and establish on a permanent footing the boundary lines of the different Townships of this Province" was read the third time as engrossed.

On the motion of Mr. Fairfield, seconded by Mr. Rogers,

Ordered, That the title of the said Bill be "An Act to provide for the erection of landmarks," and the same having been so intituled accordingly.

Ordered, That the said Bill do pass, and Mr. Speaker signed the same accordingly.

The Bill intituled "An Act to enable persons holding the office of Registrar to be elected Members of the House of Assembly," engrossed as amended in the Legislative Council and concurred in by this House, was signed by Mr. Speaker.

On the motion of Mr. Rogers, seconded by Mr. Hardison,

Ordered, That Mr. Thomas Smith and Mr. Fairfield be a Committee to carry up to the Legislative Council the Bill intituled "An Act for the further Regulation of the Militia of this Province," and to request their concurrence therein, and also to carry up at the same time to the Legislative Council the Bill intituled "An Act to provide for the erection of landmarks" and to request their concurrence therein, and likewise to carry back to the Legislative Council at the same time the Bill intituled "An Act to enable persons holding the office of Registrar to be elected Members of the House of Assembly," and to inform them that this House has concurred in their amendments therein.

Which Committee being returned reported that they had carried up the three said Bills to the Legislative Council, and delivered the messages concerning the same respectively.

The Bill for the better preservation of Salmon was read the third time as engrossed.

On the motion of Mr. Rogers, seconded by Mr. Fairfield a clerical error was corrected therein, and a small omission restored, by leave of the House.

Ordered, That the said Bill do pass, and the same was accordingly signed by Mr. Speaker.

On the motion of Mr. Rogers, seconded by Mr. Jones,

Ordered, That Mr. Beasley and Mr. Hardison be a Committee to carry up the said Bill to the Legislative Council, and to inform them this House has passed the

same upon the petition of several respectable inhabitants of the County of York (addressed to both Houses of Parliament) which Petition the said Committee shall likewise carry up at the same time to the Legislative, and request their concurrence in the said Bill.

Which Committee being returned reported that they had carried up the said Bill and Petition, and delivered the said message accordingly.

Mr. Jessup, seconded by Mr. Beasley moved that the House do now resolve itself into Committee to go into the examination of the Public accounts, touching the receipt and application of the Provincial Revenues, and the House resolved itself into Committee accordingly.

Mr. Rogers in the Chair.

The Committee went into the examination of the said Accounts.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the examination of the said Accounts, and had made a progress therein and requested leave to sit again, which Report was accepted, and leave was given accordingly.

On the motion of Mr. Beasley, seconded by Mr. Jessup,—that the House do now adjourn—the House adjourned accordingly.

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*Thursday 27th. June 1799.*

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The House proceeded to the Order of the Day.

The petition of Darius Dunham and 119 others, Members of a Methodist Society, praying that by a Parliamentary Provision the same toleration be extended to them as to other sects in this province, so as to give validity in law to their marriages was read.

Mr. Thompson, seconded by Mr. Rogers, moved for leave to bring in to-morrow a Bill for the relief of the persons commonly called Methodists, and the question being thereof put the same was carried in the negative.

At the desire of Mr. Rogers that the Yeas and Nays upon the said question be taken, the same were taken as follows:

YEAS.

MR. THOMPSON  
MR. ROGERS

NAYS.

MR. SOL'R. GENERAL  
MR. JONES  
MR. THOS. SMITH  
MR. FAIRFIELD  
MR. BEASLEY  
MR. JESSUP  
MR. CORNWALL  
MR. HARDISON

And therefore the question was carried in the negative by a majority of eight members.

Mr. Rogers received at the Bar of the House, brought up, and laid upon the Table the Petition of William Waters and Titus G. Simons, Printers.

On the motion of Mr. Rogers, seconded by Mr. Cornwall,— that the House do now adjourn until the Hour of one o'clock in the afternoon of this day—the House adjourned accordingly.

At which Hour the House met and Mr. Speaker took the Chair.

On the motion of Mr. Fairfield, seconded by Mr. Beasley,— that the House do now adjourn until to-morrow morning by the hour of eight o'clock—the House adjourned accordingly.

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*Friday 28th. June 1799.*

The House being met, and Mr. Speaker having taken the Chair, the Minutes of yesterday were read.

On the motion of Mr. Rogers, seconded by Mr. Hardison,

Ordered, That a message received from the Legislative Council on the 22nd. inst. being an infringement of the Privileges of this House, be not inserted on the Journals thereof, and that no answer be returned thereto.

On the motion of Mr. Hardison, seconded by Mr. Fairfield,—that the House do now resolve itself into Committee to go again into the examination of the receipts, expenditure and application of the Provincial Revenue—the House resolved itself into Committee accordingly.

Mr. Rogers in the Chair.

The Committee resumed the consideration of the said subject.

On notice that Black Rod was attending at the Door of the House and requested admittance,

Mr. Speaker took the Chair.

The Chairman reported a further progress, and requested leave to sit again this day, which Report was accepted, and leave was given accordingly.

A Message was received from the Legislative Council bringing down as amended therein the Bill to explain and amend an Act intituled “An Act for the further regulation of the Militia of this Province under the amended title of an Act further to regulate the Militia of this Province,”

Which Bill was read as amended.

And then the House resolved itself again into Committee to go into the examination of the receipts, expenditures and application of the Provincial Revenue.

Mr. Rogers in the Chair.

The Committee resumed the consideration of the said subjects.

Mr. Speaker resumed the Chair.

The Chairman reported a further progress, and requested leave to sit again which Report was accepted and leave was given accordingly.

Mr. Solicitor General, from the Committee appointed to revise the Journals of the first session of the present Parliament preparatory to their being published, reported that they had revised the same accordingly, and then laid the revised Copy upon the Table.

Mr. Solicitor General further reported that it was the opinion of the Committee that copies of all papers of a public nature which had been laid before the House should be inserted in their proper places and published, which Report was accepted.

On the motion of Captain Fraser, seconded by Mr. Rogers,

Resolved unanimously, That the thanks of this House be given to the



Honorable David William Smith, Acting Surveyor General of this Province, who is now about to return to Europe, as a mark of the very sense which this House entertains for the ability, assiduity and unblemished integrity with which he has for seven years past discharged the important duties of that important office.

Mr. Solicitor General, from the Committee appointed to consider of the fees which the Clerk of this House is entitled to take and receive on all Private Bills brought thereunto, reported accordingly.

Which Report being read, on the motion of Mr. Rogers, seconded by Mr. Fairfield,—that the House do now resolve itself into Committee to go into the consideration of the said Report—the House resolved itself into Committee accordingly.

Mr. Solicitor General in the Chair.

The Committee went into the consideration of the said Report.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Report and were of opinion that the further consideration thereof should be postponed until the next session of Parliament. Which Report was accepted.

The petition of Sylvester Tiffany was read, praying that he might be employed to print the journals of this House and such Provincial Statutes as the House should order to be printed.

Mr. Solicitor General, seconded by Capt. Fraser, moved that this House do not go into any consideration of, the prayer of the said Petition, as the Executive Government of this Province has already appointed persons to print public papers by authority.

And thereupon the question having been put, the same was negatived.

On the motion of Mr. Rogers, seconded by Mr. Beasley,

Ordered, That the said Petition be referred to the Committee which shall be appointed to superintend during the recess of Parliament the printing of the said journals and Acts.

On the motion of Mr. Beasley, seconded by Mr. Solicitor General,—that this House do now adjourn,—the House adjourned accordingly.

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*Saturday 29th. June 1799.*

The House being met, Prayers were read.

The Minutes of the proceedings of yesterday were read.

On the motion of Mr. Rogers, seconded by Mr. Jones,

Ordered, That the Petition of Waters and Simons, respecting the printing of the Acts and Journals, be likewise referred to the discretion of the Committee appointed to superintend during the recess of Parliament the printing of the said Acts and Journals.

Mr. Jessup, seconded by Mr. Rogers, moved for leave to bring in the draft of an humble Address to His Honor the President, praying that Military Claimants and U. E. Loyalists may be indulged with more time to bring forward their claims upon the Crown for the proportions of waste lands due to their services, and leave having been given the draft of an Address to that effect was read.

On the motion of Mr. Jessup, seconded by Mr. Rogers,—that the House do now resolve itself into Committee to go into the consideration of the said Address—

The House resolved itself into Committee accordingly.

Mr. Fairfield in the Chair.

The Committee went through the said Address.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had agreed to the said Address, which Report was accepted, and the said Address ordered to be engrossed.

On the motion of Mr. Solicitor General, seconded by Mr. Beasley,—that the House do now resolve itself into Committee to go further into the examination of the Public Accounts and debts—

The House resolved itself into Committee accordingly.

Mr. Rogers in the Chair.

The Chairman reported that the Committee had gone into the consideration of the said objects, and had voted the payment of the following sums of money to the persons hereinafter named, that is to say:—

To the Provincial Treasurer to defray the expenses of printing the Acts of the third Session .....	£20.	0.	0.
To Do. defray the expenses of printing the reserved Acts should they be returned from England .....	20.	0.	0.
To defray the expenses of printing the Journals of the three sessions. ....	120	0.	0.
To the Serjeant at Arms, a Bill for contingencies of the House.	13.	1.	4.
To the Provincial Treasurer to defray the expenses of printing the Acts of the 5th. session of the first Parliament.....	20.	0.	0.
To the Speaker of the House of Assembly, Bal. of y'r's Salary..	98.	9.	2.
To the Master in Chancery .....	50.	0.	0.
To the Clerk of the Legislative Council .....	125.	0.	0.
To the Usher of the Black Rod .....	50.	0.	0.
To the Chaplain of the Legislative Council.....	30.	0.	0.
To the Doorkeeper of ditto.....	15.	0.	0.
To the Clerk of the Assembly .....	125.	0.	0.
To the Serjeant At Arms .....	50.	0.	0.
To the Chaplain of the Assembly .....	30.	0.	0.
To the Doorkeeper of ditto .....	15.	0.	0.
To the Clerks of the two Houses for their contingencies, each 20.	40.	0.	0.
To George Law, a small contingent bill .....	3.	0.	0.
To three provincial Commissioners who went to Lower Canada, each £50 .....	150.	0.	0.
To the Provincial Treasurer to defray the expenses of printing the draught of Bill for improving the navigation between the Lakes of Ontario and Erie .....	12.	10.	0.
To the Receiver General towards liquidating the money borrowed from his Chest .....	500.	0.	0.
	1487.	5.	6.

Which Report was accepted.

Resolved, That Mr. Speaker do request that His Honor the President may be pleased earnestly to request that it may please His Most Gracious Majesty to accept of the surplus of the Provincial Revenues for the purposes of the present just and necessary war, and towards the support of his Government.

A Message was received from His Honor the President, requiring the attendance of the House in the Legislative Council Chamber.

The House having attended accordingly His Honor was pleased to assent in His Majesty's name to the following Bills, to wit:—

An Act to continue an Act intituled "An Act for securing the titles to Lands in the Province."

An Act to provide for the education and support of Orphan Children.

An Act to enable persons holding the office of Registrar to be elected Members of the House of Assembly.

An Act to ratify, approve, and confirm the Provisional Agreement made and entered into by Commissioners on the part of this Province and Commissioners on the part of the Province of Lower Canada.

At the same time His Honor reserved for the future signification of His Majesty's pleasure thereon.

The Bill intituled "An Act for the better ascertaining the appropriations of land to be allotted to the use of a protestant Clergy.

And then Mr. Speaker addressed His Honor in the following terms.

May it please Your Honor:—

To receive from the Commons of Upper Canada with the concurrence of the Legislative Council thereof now met in Parliament the strongest expressions of our most serious concern at finding our Mother Country still obliged to maintain a War against the restless destroyers of the peace of mankind, a war as unprecedented in lawless outrages from her unprincipled enemies as necessary for the preservation of everything that is sacred or dear to her or us.

Though our distance prevents us from feeling the more immediate evils of such a warfare, or from suffering much from the heavy charges which must necessarily attend it, yet we are inclined to sympathize in the warmest manner with our brethren who bear these burthens, and to do all in our power, however little it may be, to alleviate them.

We rejoice, therefore, to see by the accounts now laid before us that a surplus has arisen from the resources of our commerce and the productions of our fiscal regulations above our immediate wants, and we entreat that Your Honor will be pleased to lay at the feet of His Majesty the earnest prayer of his Most Dutiful and Loyal Subjects in this Province that he will be pleased to accept of that mite which is too inconsiderable to be viewed in any other light than as a mark of our devoted attachment to His Royal person and Family, and of our grateful sense of the blessings we enjoy under his Government.

Though mortified that the infancy of our establishment precludes us from the possibility of doing more, yet we trust that will be accepted as a proof of our good will, and we beg leave to express our warmest wishes and well founded hopes that, with the Blessing of God on our industry, covered as we are with the protecting hand of Our Mother Country, and happy under the noble form of Government we derive from her, our means of being useful to her will daily increase.

Upon which His Honor, in His Majesty's name, was pleased to thank the Commons for this mark of their benevolence.

And then His Honor was pleased to make the following Speech to both Houses of Parliament.

Gentlemen of the Legislative Council and Gentlemen of the House of Assembly:—

I am happy that the expedition with which you have gone through the business of the present session enables me to close it so soon, and to release you from your attendance before the hay harvest may require your presence at your respective homes.



Altho' the sequestered situation of this Province has through the favour of Providence hitherto exempted it from sharing in the calamities of the Cruel War which ravages Europe, I cannot too earnestly exhort you to recommend it strongly to your constituents not to relax in their attention to Militia duties, and to keep that portion of each battalion (which has been selected by my desire for active service) in a constant state of readiness to go whenever wanted.

I likewise recommend it to you to lose no opportunity of employing the ability of your respective Districts in opening and repairing the great roads of communication thro' them. For nothing contributes more speedily to the flourishing state of a country than the facility with which its produce can be carried to market, and its laws for the due administration of justice enforced.

I have long lamented that the difficulty of a bad communication with the Capital has prevented my calling you together in winter. Arrangements have therefore been lately made to obviate that difficulty by opening a road at the expense of Government to the Eastern Settlements, and I have every reason to hope that in consequence Parliament may be assembled here in the winter after the next at the latest.

Honorable Gentlemen and Gentlemen,

As it is probable that I may soon return to a private station I gladly avail myself of this occasion to offer you my most hearty thanks for the able and cheerful assistance you have constantly given me in my administration, and to assure you that I shall not cease to derive the greatest satisfaction from every advance towards perfection which may be made in the organization of the Government, and I sincerely wish for, and ardently rejoice in that prosperity of the inhabitants of this Province.

After which the Honorable the Speaker of the Legislative Council in His Honor's name declared the Parliament prorogued until the fifth day of August next, and it was prorogued accordingly.

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[Certified to be a True Copy

(Signed) George Mayer

Librarian and Keeper of the Records.

Colonial Office, 18th. July 1855.]

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Journal  
OF THE  
HOUSE OF ASSEMBLY  
OF  
Upper Canada  
1800

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Journal  
OF THE  
HOUSE OF ASSEMBLY  
OF  
Upper Canada

1800

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YORK,  
Monday the 2nd. June 1800.

The House met according to proclamation, and for the want of a quorum was adjourned by the Clerk to Thursday next at eleven of the clock in the forenoon.

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*Thursday the 5th. June 1800.*

Captain Thomas McKee, returned as one of the Knights for the County of Kent at the last General Election, took and subscribed at the Table the Oath in such case by law prescribed; the Clerk being authorized to administer the same by virtue of His Majesty's Writ of Dedimus Potestatem to him for that purpose directed, and then took his seat in the House accordingly.

Prayers were read.

A Message from His Excellency the Lieutenant Governor was laid upon the Table by Mr. Thompson.

Mr. Thompson addressed himself to the Clerk, and moved that the said Message be now read, and Mr. Fairfield having seconded the motion, the said message with the consent and approbation of the whole House was accordingly read in the following words, to wit:

Peter Hunter Lieutenant Governor.

The Lieutenant Governor, having reason to believe that the Honorable David William Smith, Esquire, the present Speaker of the House of Assembly, who is now absent from the country, will not return to it in time to discharge the duties of that Office during the present Session, is desirous that the House will immediately proceed to the election of another person to be Speaker, and that the person so elected be presented to the Lieutenant Governor to-morrow at twelve o'clock in the Legislative Council Chamber.

P. H.

Mr. Thomas Smith stood up, and addressing himself to the Clerk, who rising bowed to him and then sat down, proposed to the House for their Speaker Samuel Street, Esquire, in which motion he was seconded by Mr. Beasley.

Whereupon the Clerk, with the consent and approbation of the House, put the question, "Is it the pleasure of this House that Samuel Street, Esquire, be elected their Speaker," and thereupon the House divided.

## YEAS.

MR. SMITH  
MR. CORNWALL  
MR. BEASLEY  
MR. THOMPSON  
MR. FAIRFIELD  
MR. JESSUP  
MR. HARDISON

## NAYS.

MR. SOL'R. GENERAL  
CAPTAIN FRASER  
CAPTAIN McKEE  
COL. MACDONELL  
CAPT. WILKINSON

The question was therefore carried in the affirmative by a majority of two, and Mr. Street was accordingly declared duly elected Speaker of this House.

Mr. Speaker-elect then addressing himself to the House requested that being diffident of his capacity to discharge the important duties incident to the Chair of this House he might be permitted to decline the high honor conferred upon him by this choice, but the House not listening to his request he was conveyed to the Chair.

Mr. Speaker-elect then thanked the House for the great Honor conferred upon him.

On the motion of Mr. Solicitor General, seconded by Mr. Smith, the House adjourned until to-morrow morning at 11 O'clock.

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*Friday the 6th. June 1800.*

The House met pursuant to adjournment.

Prayers were read.

A Message was received from His Excellency the Lieutenant Governor requiring the attendance of the House in the Legislative Council Chamber.

The House having attended accordingly

Mr. Speaker-elect addressed His Excellency as follows, to wit:

May it please Your Excellency

Conformably to Your Excellency's Message of yesterday to the Commons, they have proceeded to the election of a Speaker, and their choice has fallen upon me.

Upon which the Hon. the Speaker of the Legislative Council, by His Excellency's command, replied "His Excellency approves the choice of the Commons."

His Excellency was then pleased to make the following Speech to both Houses of Parliament.

Honorable Gentlemen and Gentlemen:—

I cannot deny myself the satisfaction of expressing on this the first opportunity I have of meeting you in Parliament the deep sense I have of the honor conferred upon me by His Majesty in appointing me to represent him in a Province not more distinguished by the gifts which Nature has so abundantly bestowed upon

it than by the full enjoyment of all the blessings which flow from the British Constitution, and by the possession, as nearly as circumstances will allow, of the British Constitution itself.

It is no small addition to this satisfaction that my first act as a Member of the Provincial Legislature is to signify to you that the loyalty and dutiful attachment which you have manifested for His Majesty's Person and Family, and your readiness to support His Majesty's exertions for the security of the Empire at large, and for the preservation of our valuable Constitution, by the grant made by you of a surplus of your resources, has been highly grateful to His Majesty, and that His Majesty has been graciously pleased to give it to me in command to communicate to you the just sense which he entertains of your zeal and affection.

Tho' I have called you together at a season of the year when I am sensible that your absence from your respective homes must be attended with material inconvenience I am not aware that I shall have any occasion to detain you long, and I shall look forward with pleasure to the time when the opening of the roads which communicate with the Capital will enable me to meet you at a season when public business may be dispatched without private inconvenience.

Gentlemen of the House of Assembly,

I have directed the Receiver General and other Public Officers to lay before you their respective accounts of receipt and application of the Provincial Revenue, and I feel very considerable pleasure in observing the increase which has been made in it since the earlier period of its collection.

Honorable Gentlemen and Gentlemen,

I lament that it is not in my power to inform you of the approach of peace.

The guilty and deluded Nation which has so long been the scourge of Europe still wastes its strength and exhausts its resources in enslaving its own subjects and oppressing the Nations around it, consistent in nothing but in basely crouching to the Tyrant of the day and yielding to usurpers a degree of obedience which its lawful Sovereigns never exacted.

Force and artifice are alternately employed to violate neutralities, to break the most solemn treaties, to overturn established authorities, and to trample on Liberty, Property and Life. His Majesty, neither fearing its power nor misled by its artifices, still maintains the conduct which will hand down his name to the remotest posterity as the protector of the Rights of Nations and the Guardian of Social Order. The blessings of providence follow his exertions, and while the unabated affection of His subjects secures tranquility at home, the consummate skill and matchless valour which guide and animate his Fleets and armies enable him to baffle every attempt from without that a faithless and implacable enemy is hourly making upon the dignity of a great, free, and happy people.

A True Copy.

(Signed) James Green,

Sec'y.

The House being returned, and Mr. Speaker having taken the chair,

Mr. Fairfield, seconded by Mr. Hardison, moved for leave to bring in on Tuesday next a Bill for the better ascertaining and convicting of such persons as distil or sell spirituous liquors without license, and to repeal certain parts of an Act passed in the 34th. year of His Majesty's Reign intituled "An Act for laying and collecting a duty upon Stills," and leave was given accordingly.



Mr. Speaker by leave of the House then read His Excellency's Speech.

On the motion of Col. Macdonell, seconded by Mr. Hardison,

Ordered, That a Committee of three Members be appointed to report the draught of an Address in answer thereto.

Ordered, on motion of Col. Macdonell seconded by Mr. Thompson, That Mr. Solicitor General, Captain McKee, and Captain Fraser be a Committee accordingly.

On the motion of Mr. Hardison, seconded by Mr. Smith, the House adjourned until to-morrow morning at 10 o'clock.

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*Saturday 7th. June 1800.*

The House being met Mr. Speaker took the Chair.

Prayers were read.

The Minutes of the Proceedings of Monday, Thursday and Friday were read.

Mr. Solicitor General, from the Committee appointed to report the draught of an Address in answer to His Excellency's Speech, reported the draught of an Address accordingly, which Report was accepted.

Mr. Solicitor General by leave of the House then read the said draught in his place.

After which, the same having been read by the Clerk, it was agreed to and ordered to be engrossed.

On the motion of Col. Macdonell, seconded by Capt. McKee,

Ordered, That a Committee of two Members be appointed to wait upon His Excellency the Lieut. Governor to know when he would be pleased to receive the House with the said Address.

Ordered, on motion of Capt. Fraser, seconded by Mr. Solicitor General, That Mr. Cornwall and Mr. Fairfield be a Committee to wait upon His Excellency accordingly.

On the motion of Mr. Solicitor General, seconded by Mr. Hardison the House adjourned until one of the clock in the afternoon of this day.

The House having met agreeably to adjournment, and Mr. Speaker having taken the Chair,

Mr. Fairfield, from the Committee appointed to wait upon His Excellency the Lieut. Governor, to know when he would be pleased to receive the House with their Address in answer to his Speech, reported that they had waited upon His Excellency accordingly, who was pleased to inform them that he would receive the House by the hour of three of the clock this afternoon with their address.

Mr. Speaker informed the House that a slight alteration had been made in engrossing the Address of the House in answer to His Excellency's Speech at the desire of the Committee who had draughted the same.

After which Mr. Speaker read the said Address as engrossed and the same, having been agreed to, was signed by Mr. Speaker, and was as follows—to wit:

To His Excellency, Peter Hunter, Esquire,

Lieutenant Governor of the Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. &c. &c.

May it please Your Excellency:—

We His Majesty's most loyal and dutiful subjects, the Commons of the Province of Upper Canada, in Parliament assembled, beg leave to return our thanks for Your Excellency's Speech.

We cannot deny ourselves the satisfaction of expressing the deep and grateful sense we entertain of the choice which His Majesty has been pleased to make of a person of Your Excellency's distinguished merit to represent him in this Province.

In addition to the gifts which Nature has bestowed upon us we feel happy in the enjoyment of the blessings which flow from the possession of a Constitution approaching as nearly as our local situation will admit to the British Constitution itself, and we anticipate with pleasure the further benefits which we shall derive from Your Excellency's wise and prudent administration.

We gratefully receive His Majesty's most gracious communication respecting the small grant which we were able to offer in support of His Majesty's exertions for the security of the Empire, and the support of our valuable Constitution; and we beg leave to assure Your Excellency that our loyalty and dutiful attachment to His Majesty's person and family shall remain unshaken, and that we shall ever be ready to manifest it by every means in our power.

We have a just sense of Your Excellency's goodness in intimating to us your intention of calling us together (when the opening of the roads which communicate with the Capital will enable Your Excellency), at a season of the year when public business may be dispatched without private inconvenience.

We shall hasten to take into our consideration the respective accounts of the receipt and application of the Provincial Revenue when laid before us.

We lament with Your Excellency that there is no prospect of peace, but however so much aware of its beneficent effects, we are more sensible, of the necessity of a war so essential to the support of our Constitution and our dignity as a Nation. We rejoice that His Majesty has been enabled by the consummate skill and matchless valour which guide and animate his fleets and armies to baffle the attempts of a faithless and implacable enemy, whose only object seems to be the subversion of all social order by trampling upon liberty, property and life; and we hope that by the blessing of providence His Majesty may continue, regardless of their artifices and machinations, to maintain that conduct which will hand down his name to posterity as the Protector of Nations and the support of the dignity and independence of a great, free and happy people.

(Signed)

SAMUEL STREET, Speaker.

York, 7th. June 1800.

On the motion of Mr. Thompson, seconded by Mr. Solicitor General,

Ordered, That the House do now wait upon His Excellency the Lieutenant Governor with their Address and having delivered the same do stand adjourned until Monday next at 10 o'clock in the forenoon.

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*Monday 9th. June 1800.*

The House having met, and Mr. Speaker having taken the Chair,  
Prayers were read.

The Minutes of the Proceedings of Saturday last were read.

Mr. Speaker then informed the House that agreeably to the Order of Saturday last the House having waited upon and delivered their Address to His Excellency in answer to his Speech His Excellency was pleased to make the following reply:

Gentlemen:—

I return you my thanks for this very loyal and affectionate Address, and I beg you to be assured that I shall upon all occasions feel equally anxious with yourselves that the happiest effects may constantly result from your deliberations.

Which reply was read by Mr. Speaker from the Chair, and then by the Clerk at the Table.

Mr. Smith, seconded by Mr. Hardison, moved for leave to bring in to-morrow a Bill to regulate the impounding of cattle in the Western District. Leave was given accordingly.

On the motion of Mr. Smith, seconded by Mr. Hardison,

Ordered, That a Committee of revision be appointed to inquire into and report upon such Acts of the Parliament of this province as are expired, or will expire soon.

Ordered, on the motion of Mr. Smith, seconded by Mr. Hardison, That Mr. Solicitor General and Mr. Thompson be a Committee accordingly.

On the motion of Capt. Fraser, seconded by Mr. Fairfield,

Ordered, That Mr. Jessup be added to and included in the said Committee.

On the motion of Mr. Jessup, seconded by Capt. Fraser, the House adjourned until to-morrow morning at 10 o'clock.

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*Tuesday the 10th. June 1800.*

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the proceedings of yesterday were read.

Mr. Solicitor General, from the Committee of Revision appointed to inquire into and report upon such Acts of the Parliament of this province as are expired, or will expire soon, reported that the Committee had inquired into such Acts as they judged to come within the reference to them, and submitted the following to the consideration of the House.

1. An Act to nominate and appoint certain Commissioners for the purposes herein mentioned.

2. An Act to provide for the appointment of Returning Officers for the several counties within this province.

3. An Act for making temporary provision for the regulation of trade between this Province and the United States of America by land or by inland navigation.

Which Report was accepted.

Mr. Jessup, seconded by Mr. Solicitor General, moved that the House do now resolve itself into Committee to go into the consideration of the said Acts.

And the House resolved itself into Committee accordingly.

Captain Fraser in the Chair.

The Committee went into the consideration of the said Acts.

Mr. Speaker resumed the Chair.



The Chairman reported that the Committee were of opinion that the Act for the appointment of Returning Officers for the several Counties within this Province should be revived and continued in force for and during a term of eight years, and that the other two Acts should remain committed for further consideration, which Report was accepted.

On the motion of Mr. Solicitor General, seconded by Mr. Smith,

Ordered, That a Committee be appointed to draught and bring in a Bill to revive and continue for and during the term of eight years an Act intituled "An Act for the appointment of Returning Officers for the several Counties of this Province."

On the motion of Mr. Beasley, seconded by Mr. Cornwall,

Ordered, That Mr. Solicitor General, Mr. Smith, and Mr. Jessup, be a Committee accordingly.

The Order of the Day being read

A Bill for the better ascertaining and convicting of such persons as sell or distil spirituous liquors without license, and to repeal certain parts of an Act passed in the thirty fourth year of His Majesty's Reign, intituled "An Act for laying and collecting a duty upon Stills" was read the first time.

On the motion of Mr. Beasley, seconded by Mr. Fairfield,

Ordered, That the said Bill be read a second time to-morrow.

Read the first time, a Bill to regulate the impounding of Cattle in the Western District.

On the motion of Mr. Beasley, seconded by Mr. Hardison,

Ordered, That the said Bill be read a second time to-morrow.

Mr. Smith received at the Bar of the House, brought up and laid upon the Table, the four following Petitions, to wit:

The petition of several inhabitants of the Townships of Willoughby and Crowland.

The petition of several inhabitants of the County of Norfolk.

The petition of several inhabitants of the Township of Berlin.

And the petition of several of the inhabitants of the Township of Niagara.

On the motion of Mr. Thompson, seconded by Mr. Solicitor General, the House adjourned until to-morrow morning at 10 o'clock.

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*Wednesday 11th. June 1800.*

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the proceedings of yesterday were read.

Mr. Jessup moved, seconded by Capt. Fraser, for leave to bring in a Bill to-morrow for the more equal representation of the Province. Leave was given accordingly.

Mr. Beasley moved, seconded by Mr. Hardison, for leave to bring in a Bill on Friday next for the more uniform laying of assessments, and leave was given accordingly.

Mr. Speaker informed the House that he had received from the Honorable John McGill a packet directed to the Speaker of this House for the time being containing twelve copies of the provisional Statutes of Lower Canada passed during the third session of the second Parliament of that Province, together with a

copy of the journals of their House of Assembly for the same period, which he directed to be laid upon the Table for the use and disposal of this House.

The Order of the Day being read

The Bill for the better ascertaining and convicting of such persons as sell or distil spirituous liquors without license, and to repeal certain parts of an Act passed in the thirty fourth year of His Majesty's Reign intituled "An Act for laying and collecting a duty upon Stills" was read the second time.

On the motion of Mr. Fairfield, seconded by Mr. Cornwall, that the House do now resolve itself into Committee to take the said Bill into consideration—the House resolved itself into Committee accordingly.

Capt. McKee in the chair.

The Committee went through the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the consideration of the said Bill, and had agreed thereto with amendments. Which Report was accepted.

And the said Bill as amended was read under the amended title of "A Bill to repeal certain parts of an Act passed in the thirty fourth year of His Majesty's Reign, intituled an Act to lay and collect a duty upon Stills, and to enable the distillers of spirituous liquors to vend the same" and agreed upon.

On the motion of Mr. Fairfield, seconded by Mr. Hardison,

Ordered, That the said Bill be engrossed and read a third time to-morrow.

Mr. Solicitor General, from the Committee appointed to draught and bring in a Bill to revive and continue for and during the term of eight years an Act intituled "An Act for the appointment of Returning Officers for the several Counties in this province," reported the draught of a Bill accordingly, which report was accepted.

And the said Bill was read the first time.

On the motion of Mr. Fairfield, seconded by Mr. Cornwall,

Ordered, That the said Bill be read a second time to-morrow.

The Bill to regulate the impounding of cattle in the Western District was read the second time.

On the motion of Mr. Beasley, seconded by Mr. Hardison,—that the House do now resolve itself into Committee to take the said Bill into consideration—the House resolved itself into Committee accordingly.

Captain Fraser in the Chair.

The Committee went through the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill, and had agreed thereto with amendments.

Which Report was accepted, and the said Bill as amended being read was agreed to.

On the motion of Mr. Beasley, seconded by Mr. Cornwall,

Ordered, That the said Bill be engrossed, and read a third time to-morrow.

Mr. Smith moved, seconded by Mr. Cornwall, That the Committee appointed to superintend the printing of the Acts of the Provincial Parliament and of the Journals of this House at the close of the last Session, do now make their report of their proceedings therein.

And the question having been put thereupon the same was carried in the affirmative.

In consequence of which Mr. Beasley, from the said Committee, brought up the Report of the said Committee in writing, and laid the same upon the Table.

On the motion of Mr. Beasley, seconded by Mr. Fairfield,—that the House do now resolve itself into Committee to go into the consideration of the said Report—The House resolved itself into Committee accordingly.

Capt. Wilkinson in the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Report, and had directed him to report a progress, and to request leave to sit again.

Which Report was accepted and leave was given accordingly.

On the motion of Mr. Solicitor General, seconded by Col. Macdonell the House adjourned until to-morrow morning at 10 o'clock.

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*Thursday 12th. June 1800.*

The House being met and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the proceedings of yesterday were read.

The Provincial Treasurer's accounts of the receipt and application of the Provincial Revenue to the present period having been transmitted under cover to the Clerk by order of His Excellency the Lieutenant Governor the same were laid upon the Table.

On the motion of Mr. Fairfield, seconded by Mr. Thompson,

Ordered, That the Order of yesterday for the third reading this day of the engrossed Bill to repeal certain parts of an Act passed in the thirty-fourth of His Majesty's Reign intituled "An Act to lay and collect a duty upon Stills, and to enable the distillers of spirituous liquors to vend the same" be discharged, and that the said Bill be now recommitted.

The House resolved itself into Committee accordingly.

Capt. McKee in the Chair.

The Committee went again into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had resumed the consideration of the said Bill and directed him to report a progress, and to request leave to sit again in three months, which Report was accepted and leave was given accordingly.

The following four Petitions, brought up on Tuesday last, by Mr. Smith were severally read as follows—to wit:

A Petition subscribed by Samuel Ryers, Esquire, Edward McMichael and 103 other inhabitants of the County of Norfolk.

A Petition subscribed by Thomas Cummings, John Fanning and 1,000 others, inhabitants of the Townships of Willoughby and Crowland.

A Petition subscribed by Samuel Thompson, John Dunn, John McKay, Ralph Clench, Esq., and 53 other inhabitants of the Township of Niagara.

And a Petition subscribed by Benjamin Wilson, Esq. and 68 other inhabitants of the Township of Bertie, all expressions of the grateful sense entertained by the Petitioners of the wisdom and care of this House in causing the Bill intituled "An Act to improve and amend the communication between the Lakes of Ontario



and Erie by land and by water" to be printed and circulated for general information at the close of the last session of Parliament, and having refrained from proceeding on the said Bill until further informed thereon.

And all reprobatng in nearly the same words the principles of the said Bill as monopolous and oppressive, and praying that the House may refuse its assent thereto if it should at any future period be brought forward.

Mr. Thompson moved, seconded by Mr. Solicitor General, That the House do now resolve itself into Committee to resume the consideration of the Act to nominate and appoint certain Commissioners for the purposes herein mentioned, and the Act for making temporary provision for the regulation of trade between this Province and the United States of America by land or inland navigation, remaining committed since Tuesday last.

And the House resolved itself into Committee accordingly.

Capt. Fraser in the Chair.

The Committee went into the consideration of the said two Acts.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had resumed the consideration of the said two Acts, and were of opinion that there was no necessity for bringing up at present a Bill to continue the Act to nominate and appoint certain Commissioners for the purposes herein named, but that they conceived it necessary that a Bill should be prepared and brought in to provide for the purposes of the other Act referred to their consideration.

Which Report was accepted.

On the motion of Mr. Solicitor General, seconded by Col. Macdonell,

Ordered, That Mr. Beasley and Mr. Thompson be a Committee to prepare and report a Bill to empower the Governor, Lieutenant Governor, or person administering the Government of this Province for the time being, by and with the advice of His Majesty's Executive Council in and for this Province, to make such temporary Rules and Regulations from time to time as may be necessary respecting the trade between this Province and the United States of America.

On the motion of Mr. Solicitor General, seconded by Capt. Fraser,—that the House do now resolve itself into Committee to resume the consideration of the Report of the Committee appointed to superintend the printing of the Acts of the Provincial Parliament and of the Journals of this House,—the House resolved itself into Committee accordingly.

Captain McKee in the Chair.

The Committee resumed the consideration of the said Report.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Report and had directed him to request leave to sit again in three months, which Report was accepted, and leave was given accordingly.

The Bill to regulate the impounding of cattle in the Western District was read the third time as engrossed.

Ordered, That the same do pass, and it was signed by Mr. Speaker accordingly.

The Bill to revive and continue an Act intituled "An Act to provide for the appointment of Returning Officers for the several Counties within this Province" was read the second time.

On the motion of Mr. Beasley, seconded by Capt. Wilkinson,—that the House do now resolve itself into Committee to take the said Bill into consideration—

The House resolved itself into Committee accordingly.

Mr. Thompson in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill, and had agreed thereto without any amendment, which Report was accepted.

On the motion of Mr. Beasley, seconded by Mr. Hardison,

Ordered, That the said Bill be read a third time to-morrow.

The Bill for the more equal representation of the Province in Parliament was read the first time.

On the motion of Mr. Jessup, seconded by Capt. Fraser,

Ordered, That the said Bill be read a second time to-morrow.

Mr. Beasley presented at the Bar of the House, brought up, and by leave laid upon the Table the following two Petitions, to wit:

The Petition of several of the inhabitants of the District of Niagara.

And the Petition of several of the inhabitants of the township of Pelham.

Mr. Solicitor General, seconded by Mr. Jessup, moved for leave to bring in to-morrow a Bill for the more easy convicting of persons selling spirituous liquors without license, and leave was given accordingly.

On the motion of Mr. Beasley, seconded by Mr. Solicitor General, the House adjourned until to-morrow morning at 10 o'clock.

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*Friday 13th. June 1800.*

The House being met and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the proceedings of yesterday were read.

Mr. Beasley, seconded by Mr. Smith, moved that leave be given to him to bring in on Monday next, instead of to-day, according to the leave given on Wednesday last, the Bill for the more uniform laying of assessments. Leave was granted accordingly.

Mr. Speaker informed the House that His Excellency the Lieutenant Governor had been pleased to order eighty-four copies of the Acts of the Second Session of the present Parliament, and twenty-eight copies of the Third Session, to be transmitted to the Clerk to be distributed among the Members of this House, in the following proportions, to wit: six of the former and two of the latter to each Member, and that the Clerk would deliver to each Member his proportion accordingly.

Mr. Thompson, from the Committee appointed to prepare and report a Bill to empower the Governor, Lieutenant Governor, or person administering the Government of this Province for the time being, by and with the advice of His Majesty's Executive Council in and for this Province, to make such temporary rules and regulations from time to time as may be necessary, respecting the trade between this Province and the United States of America, reported the draught of a Bill accordingly; and, having read the same in his place, it was read by the Clerk at the Table for the first time, under the title of "An Act for making a temporary provision for the regulation of trade between this Province and the United States of America, by land or by inland navigation."

On the motion of Mr. Thompson, seconded by Mr. Cornwall,  
Ordered, That the said Bill be read a second time to-morrow.

Mr. Speaker informed the House that the Clerk had applied to him for leave that a young gentleman of the name of John Tenbroeck might be permitted to assist him in copying the Proceedings of the House within the Bar.

Ordered, That leave be given accordingly.

On the motion of Mr. Solicitor General, seconded by Capt. Wilkinson,

Ordered, That the said Mr. John Tenbroeck shall at all times withdraw when the House is cleared.

A Bill for the more easy convicting of persons selling spirituous liquors without license was read the first time.

On the motion of Mr. Solicitor General, seconded by Captain Fraser,

Ordered, That the said Bill be read a second time to-morrow.

The Bill to revive and continue an Act to provide for the appointment of Returning Officers for the several Counties within this Province was read the third time.

Ordered, That the said Bill do pass, and the same was accordingly signed by Mr. Speaker.

On the motion of Mr. Thompson, seconded by Mr. Hardison,

Ordered, That Mr. Smith and Mr. Cornwall be a Committee to carry up the said Bill to the Legislative Council, and likewise to carry up at the same time the Bill to regulate the impounding of cattle in the Western District, and to request their concurrence in passing the said Bills.

The Bill for the more equal representation of the Province in Parliament was read the second time.

On the motion of Mr. Jessup, seconded by Mr. Thompson,—That the House do now resolve itself into a Committee to go into the consideration of the said Bill—

The House resolved itself into Committee accordingly.

Mr. Hardison in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill, and had directed him to report a progress and to request leave to sit again. Which Report was accepted, and leave was given accordingly.

On the motion of Mr. Beasley, seconded by Mr. Hardison, the House adjourned until to-morrow morning at ten o'clock.

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*Saturday the 14th. June 1800.*

The House being met and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the Proceedings of yesterday were read.

The Order of the Day being read,

The Bill for the more easy convicting of persons selling spirituous liquors without license was read the second time.

On the motion of Mr. Solicitor General, seconded by Mr. Hardison,—That the House do now resolve itself into Committee to take the said Bill into consideration—



The House resolved itself into Committee accordingly.

Mr. Thompson in the Chair.

The Committee went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill, and had agreed thereto with amendments. Which Report was accepted.

On the motion of Mr. Solicitor General, seconded by Mr. Jessup,—That the House do now go into Committee to consider the said Bill,

The House resolved itself into Committee accordingly.

Mr. Thompson in the Chair.

The Committee resumed the consideration of the said Bill, and made some further amendments therein.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had reconsidered the said Bill, and had agreed thereto, with some further amendments. Which Report was accepted, and the said Bill, as amended, was agreed to.

Ordered, on the motion of Mr. Solicitor General, seconded by Mr. Hardison, that the said Bill be engrossed, and read a third time on Monday.

The following papers were transmitted by order of His Excellency the Lieut. Governor, received by the Clerk, and laid upon the Table, to wit:

A general account of the merchandize entered at the Port of Niagara between the 25th December, 1798, and the 24th December, 1799, inclusive, undersigned by Colin McNabb, Superintendent of Inland Navigation.

And a general account of merchandize shipped from the Port of Kingston during the same period, subscribed by William McKay, Superintendent of Inland Navigation.

The two following Petitions, presented at the Bar of the House, brought up by leave and laid upon the Table on Thursday last, were read, to wit:

The Petition of Joshua Pell, Haggai Skinner, Thomas McMicking, Archibald Thompson, and 67 other inhabitants of the Township of Stamford, in the District of Niagara.

And the Petition of Charles Fleming, Robert Spenser, and twenty-eight other inhabitants of the Township of Pelham, in the said District.

Both Petitions expressing the gratitude of the Petitioners towards the House for the wisdom, vigilance and care shown in causing the Bill to improve and amend the communication between the Lakes of Ontario and Erie by land and by water to be printed, and copies thereof distributed to the inhabitants for the information of the interested, and praying that the House do refuse to assent thereto should it ever be presented again to their deliberations.

The Bill for making a temporary provision for the regulation of trade between this Province and the United States of America by land or by inland navigation was read the second time. On the motion of Mr. Thompson, seconded by Mr. Solicitor General,—that the House do now resolve itself into Committee to go into the consideration of the said Bill—

The House resolved itself into Committee accordingly.

Mr. Fairfield in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill, and had agreed thereto, with amendments. Which Report was accepted.

And the said Bill, having been read as amended, was agreed to.

On the motion of Mr. Jessup, seconded by Mr. Thompson, the House adjourned until Monday next, at ten o'clock in the forenoon.

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*Monday, 16th June, 1800.*

The House being met and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the proceedings of Saturday were read.

On the motion of Mr. Beasley, seconded by Mr. Hardison,

Ordered, That the Bill for making a temporary provision for the regulation of trade between this Province and the United States of America by land or by inland navigation be engrossed and read a third time to-morrow.

The Bill for the more uniform laying of assessments throughout this Province was read the first time.

On the motion of Mr. Fairfield, seconded by Mr. Beasley,

Ordered, That the said Bill be read a second time to-morrow.

The Bill for the more easy convicting of persons selling spirituous liquors without license was read the third time as engrossed, and the same was passed, and signed accordingly by Mr. Speaker.

Mr. Solicitor General, rising in his place and addressing himself to Mr. Speaker, informed the House that he had it in charge from His Excellency the Lieutenant Governor to deliver a written message from him to the House.

And having delivered the same at the Table accordingly, the said message was read in the following words, to wit:—

The Lieutenant Governor having lately received from His Grace the Duke of Portland, one of His Majesty's principal Secretaries of State, an Order of His Majesty in Council which he is commanded to communicate to the Legislature of this Province transmits a copy of it to the House of Assembly.

COPY.

At the Court of St. James, the 15th day of January, 1800.

Present.

DUKE OF PORTLAND  
LORD STEWARD  
LORD CHAMBERLAIN  
EARL OF CHESTERFIELD  
EARL SPENCER  
EARL OF LIVERPOOL  
VISCOUNT BELGRAVE  
LORD CATHCART  
LORD HAWKESBURY  
SIR WILLIAM SCOTT  
MR. STEEL.

Whereas there was this day read at the Board a representation of the Lords of His Majesty's Most Honorable Privy Council stating the inconvenience which may result from His Majesty's approbation being obtained to Acts of the Legislatures of His Majesty's Colonies or Plantations at any considerable interval from the passing thereof, and submitting that unless His Majesty's confirmation to any Act passed in His Majesty's Colonies or Plantations shall be obtained within three years from the passing any such Act in the said Colonies or Plantations respectively, such Act should be considered as disallowed.

His Majesty with the advice of his Privy Council is therefore pleased to declare that in future in all cases when His Majesty's confirmation shall be necessary to give validity and effect to any Act passed by the Legislature of any of His Majesty's Colonies or Plantations, unless His Majesty's confirmation thereof shall be obtained within three years from the passing such Act in any of the said Colonies or Plantations such Act shall be considered as disallowed, and His Majesty is hereby pleased to order that His Grace the Duke of Portland, one of His Majesty's principal Secretaries of State, do receive His Majesty's pleasure for communicating such His Majesty's declaration to the Governors of His Majesty's Colonies or Plantations, to be by him signified to the respective Legislatures of His Majesty's said Colonies or Plantations.

On the motion of Mr. Beasley, seconded by Mr. Hardison,—That the House do now resolve itself into Committee to take into consideration the standing rules of this House—

The House resolved itself into Committee accordingly.

Captain Wilkinson in the Chair.

The Committee read one by one the said Rules, as extracted from the Journals and copied for the use of the House.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had revised the said Rules, and had directed him to report that they had erased out of the extracted schedule all those which they considered as superfluous or unnecessary, and were of opinion that the same should be discharged, and that those which had been retained should be henceforth considered as Standing Rules of the House, be engrossed, and do always lie on the Table for the use of the Members of this House.

Which Report was accepted, and the said Rules to be considered in future as the Standing Rules of this House were read, and the same were agreed to, and an engrossed copy thereof ordered to lie always upon the Table.

Mr. Jessup, seconded by Capt. Fraser, moved for leave to bring in to-morrow a Bill to repeal part of an Act passed in the 37th year of His Majesty's Reign, intituled "An Act to extend the jurisdiction and regulate the proceedings of the District Court and Court of Requests, and to make further provision for the same."

And leave was given accordingly.

On the motion of Mr. Smith, seconded by Mr. Beasley,—that a Committee be appointed to examine into and report upon such books, papers, and records as belong to this House—

On the motion of Mr. Beasley, seconded by Mr. Cornwall,

Ordered, That Mr. Smith, Mr. Solicitor General, and Mr. Jessup be a Committee accordingly.

On the motion of Mr. Beasley, seconded by Capt. McKee, the House adjourned until to-morrow morning at ten o'clock.



*Tuesday, 17th June, 1800.*

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the proceedings of yesterday were read.

A Message was received from the Legislative Council to request the concurrence of this House in passing a Bill sent down for that purpose, entitled "An Act for the further introduction of the Criminal Law of England into this Province, and for the more effectual punishment of certain offenders."

Which Bill was read the first time.

On the motion of Mr. Solicitor General, seconded by Capt. Wilkinson, Ordered, That the said Bill be read a second time to-morrow.

The Bill for making a temporary provision for the regulation of trade between this Province and the United States of America by land or by inland navigation was read the third time as engrossed.

Ordered, That the said Bill do pass, and the same was signed accordingly.

On the motion of Mr. Fairfield, seconded by Mr. Jessup,

Ordered, That Mr. Smith and Mr. Cornwall be a Committee to carry up the said Bill to the Legislative Council, and do at the same time carry up the Bill for the more easy convicting of persons selling spirituous liquors.

The Bill for the more uniform laying of assessments throughout this Province was read the second time.

On the motion of Mr. Beasley, seconded by Mr. Hardison,

Ordered, That the said Bill be committed to a Committee of the whole House to-morrow.

And then the House resolved itself into a Committee to resume the consideration of the Bill for the more equal representation of the Province in Parliament.

Mr. Speaker resumed the Chair.

The Committee went into the further consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill, and had agreed thereto with amendments. Which Report was accepted.

And the said Bill having been read as amended on motion of Mr. Smith, seconded by Mr. Cornwall,

Ordered, That the said Bill be amended by reducing the representation of the County of Kent to one Member and augmenting that of the County of Essex to two Members.

On the motion of Mr. Solicitor General, seconded by Col. Macdonell,

Ordered, That the said Bill be engrossed and read a third time to-morrow.

The Bill to repeal part of an Act passed in the thirty ninth year of His Majesty's Reign, intituled "An Act to extend the jurisdiction and regulate the proceedings of the District Court and Court of Requests, and to make further provision for the same" was read the first time.

On the motion of Mr. Fairfield, seconded by Mr. Solicitor General,

Ordered, That the said Bill be read a second time to-morrow.

On the motion of Mr. Solicitor General, seconded by Mr. Thompson, the House adjourned until ten o'clock to-morrow morning.

*Wednesday 18th. June 1800.*

The House being met and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the proceedings of yesterday were read.

The Bill to repeal part of an Act passed in the thirty seventh year of His Majesty's Reign, intituled "An Act to extend the jurisdiction and regulate the proceedings of the District Court and Court of Requests, and to make further provision for the same" was read the second time.

On the motion of Mr. Jessup, seconded by Capt. Fraser,—That the House do now resolve itself into Committee to take the said Bill into consideration—the question was put, and the House dividing the same passed in the negative.

On the motion of Mr. Jessup, seconded by Col. Macdonell,—that the House do resolve itself into Committee to-morrow to go into the consideration of the said Bill, the question was put, and carried in the affirmative.

Ordered accordingly, That the House do resolve itself into Committee on the said Bill to-morrow.

The Bill for the further introduction of the Criminal Law of England into this Province, and for the more effectual punishment of certain offenders was read the second time.

On the motion of Mr. Solicitor General, seconded by Capt. Wilkinson,—that the House do now resolve itself into Committee to go into the consideration of the said Bill—

The House resolved itself into Committee accordingly.

Mr. Smith in the Chair.

The Committee went into consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill, and had directed him to report a progress therein, and to request leave to sit again to-morrow. Which Report was accepted and leave was given accordingly.

Mr. Fairfield, seconded by Mr. Beasley, moved for leave to propose some amendments, to be subjoined as additional clauses to the Bill for the more equal representation of the Province in Parliament. And leave being given he read the said amendments in his place and then laid the same upon the Table.

On the motion of Mr. Beasley, seconded by Mr. Hardison,—That the House do now resolve itself into Committee to go into the consideration of the said amendments—

The House resolved itself into Committee accordingly.

Captain Wilkinson in the Chair.

The Committee went into the consideration of the said amendments.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said amendments, and had directed him to report a progress, and to request leave to sit again to-morrow.

Which Report was accepted, and leave was given accordingly.

On the motion of Mr. Beasley, seconded by Mr. Thompson, the House adjourned until to-morrow morning at ten o'clock.

*Thursday 19th. June 1800.*

The House being met and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the Proceedings of yesterday were read.

And then the House resolved itself into Committee to go into the consideration of the Bill to repeal part of an Act passed in the thirty seventh year of His Majesty's Reign, intituled "An Act to extend the jurisdiction and regulate the proceedings of the District Court and Court of Requests, and to make further provision for the same."

Mr. Smith in the Chair.

The Committee went into the consideration of the said Bill.

On notice that Black Rod was at the Door and prayed admittance,

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had made a progress in the consideration of the said Bill, and requested leave to sit again this day.

Which Report was accepted and leave was given accordingly.

A Message was received from the Legislative Council and delivered in the following words:

Mr. Speaker:—The Honorable the Legislative Council have concurred in passing without any amendment a Bill for making a temporary provision for the regulation of trade between this Province and the United States of America by land or by inland navigation.

And also a Bill to revive and continue an Act to provide for the appointment of Returning Officers for the several Counties within this Province.

And then the House resolved itself into Committee to resume the consideration of the Bill last under deliberation.

Mr. Smith in the Chair.

The Committee resumed the consideration of the said Bill and went through the same.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill and had agreed thereto with amendments, which Report was accepted.

And the said Bill being read as amended was agreed to.

At the desire of Mr. Fairfield that the yeas and nays may be reckoned on such agreement, the same were taken down as follows:

Yeas.		Nays.	
MR.	SOL'R. GENERAL	MR.	FAIRFIELD
MR.	JESSUP	MR.	CORNWALL
MR.	THOMPSON		
MR.	SMITH		
MR.	BEASLEY		
MR.	HARDISON		
	CAPT. FRASER.		

So that the said question of agreement was carried in the affirmative by a majority of five.

The House then resolved itself into Committee to go further into the consideration of the Bill for the further introduction of the Criminal Law of England into this Province, and for the more effectual punishment of certain offenders.



Mr. Smith in the Chair.

The Committee made a further progress in the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had made further progress in the consideration of the said Bill, and requested leave to sit again.

Which Report was accepted, and leave was given accordingly.

Mr. Thompson, seconded by Mr. Solicitor General, moved that the House do now adjourn, and the question having been thereupon put the same passed in the negative.

After which the House resolved itself into Committee to take into further consideration the amendments proposed to be subjoined as additional clauses to the Bill for the more equal representation of the province in Parliament.

Mr. Hardison in the Chair.

The Committee went again into the consideration of the said amendments.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had made a further progress in the consideration of the said amendments, and had directed him to request leave to sit again.

Which Report was accepted, and leave was given accordingly.

On the motion of Mr. Hardison, seconded by Mr. Solicitor General, the House adjourned until to-morrow morning at ten o'clock.

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*Friday 20th. June 1800.*

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the Proceedings of yesterday were read.

Mr. Fairfield, seconded by Mr. Solicitor General, moved that the Order of yesterday for the third reading to-day of the engrossed Bill to repeal part of an Act passed in the thirty seventh year of His Majesty's Reign, intituled "An Act to extend the jurisdiction and regulate the proceedings of the District Court and Court of Requests, and to make further provision for the same" be discharged, and that the said Bill be read a third time in three months.

And the question having been thereupon put the same was carried unanimously in the affirmative.

A Message was received from the Legislative Council and delivered in the following words:

Mr. Speaker:—I am directed by the Honorable the Legislative Council to bring down a Bill to declare the rights of certain grants of waste lands of the Crown, which they have passed, and to request the concurrence of this House in passing the same.

And the Master in Chancery having delivered the said Bill to Mr. Speaker withdrew.

Upon which the said Bill was read the first time.

On the motion of Mr. Fairfield, seconded by Capt. Fraser,

Ordered, That the said Bill be read a second time to-morrow.

On the motion of Mr. Beasley, seconded by Mr. Cornwall,—That the House do now resolve itself into Committee to take into consideration the Bill for the more uniform laying of assessments throughout this Province—

The House resolved itself into Committee accordingly.

Mr. Fairfield in the Chair.

The Committee went into the consideration of the said Bill and went through the same.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill and had agreed thereto with amendments, which Report was accepted.

On the motion of Mr. Beasley, seconded by Mr. Hardison,

Ordered, That the said Bill be engrossed, and read a third time to-morrow.

Mr. Speaker informed the House that the following papers had been transmitted by order of His Excellency the Lieutenant Governor, and laid upon the Table for the information of the House, to wit:

General Account of dutiable articles which passed Coteau du Lac upwards between the first of July and the thirty first of December, one thousand seven hundred and ninety nine, agreeable to the particulars written. Accounts thereof received by the Inspector or as ascertained by him on examination of carriages according to the Act.

And a general account of the like articles passed the same place downwards during the same period ascertained in the like manner.

And then the House resolved itself into Committee to resume the consideration of the amendments proposed to be subjoined or added as additional clauses to the Bill for the more equal representation of the Province in Parliament.

Mr. Hardison in the Chair.

The Committee went through the said proposed amendments.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the proposed amendments and had agreed to one thereof.

Which Report was accepted, and the said amendment, being read, was agreed to, and ordered to be added as a clause in and to the said Bill.

And then the House resolved itself into Committee to resume the consideration of the Bill for the further introduction of the Criminal Law of England, into this Province, and for the more effectual punishment of certain offenders.

Mr. Smith in the Chair.

The Committee resumed the consideration of the said Bill and made further progress therein.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had resumed the consideration of the said Bill, and made further progress therein, and requested leave to sit again on Monday.

Which Report was accepted and leave was given accordingly.

On the motion of Captain Wilkinson, seconded by Capt. Fraser, the House adjourned until to-morrow morning at 10 o'clock.

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*Monday 21st. June 1800.*

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the proceedings of yesterday were read.

Mr. Beasley, seconded by Mr. Hardison, moved that the order for engrossing the Bill for the more equal representation of this Province in Parliament be discharged, and that the said Bill be read in three months.

And thereupon, Mr. Speaker having asked if the House were prepared for having the question thereof now put,

Mr. Solicitor General, seconded by Capt. McKee, moved that in consideration of the thinness of the House Mr. Speaker do defer putting the said question.

Upon which Mr. Beasley, seconded by Mr. Hardison moved in amendment of Mr. Solicitor General's motion that the words "for five minutes" be added thereto.

Which question as amended having been put was carried in the affirmative unanimously.

Ordered, on the motion of Mr. Fairfield, seconded by Mr. Solicitor General, That the order of yesterday for reading a third time to-day the engrossed Bill for the more uniform laying of assessments throughout this Province be discharged, and that the House do now resolve itself into Committee to reconsider the said Bill.

And the House resolved itself into Committee accordingly.

Mr. Fairfield in the Chair.

The Committee reconsidered the said Bill and made some amendments therein.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had reconsidered the said Bill and made some amendments therein.

Which Report was accepted, and the said Bill, having been read as amended, was agreed to.

On the motion of Mr. Beasley, seconded by Mr. Hardison,

Ordered, That the said Bill be engrossed and read a third time to-morrow.

The Bill to declare the rights of certain grants of waste lands of the Crown was read the second time. On the motion of Mr. Solicitor General, seconded by Mr. Cornwall,—that the House do now resolve itself into Committee to go into the consideration of the said Bill—

The House resolved itself into Committee accordingly.

Captain Wilkinson in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill and had agreed thereto without any amendment.

Which Report was accepted.

On the motion of Mr. Solicitor General, seconded by Captain Fraser,

Ordered, That the said Bill be read a third time on Monday next.

On the motion of Mr. Beasley, seconded by Mr. Hardison,—That the House do now resolve itself into Committee to go into the consideration of the receipt and application of the Provincial Revenue—

The House resolved itself into Committee accordingly.

Captain Fraser in the Chair.

The Committee went into the consideration of the same.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had made a progress in the consideration thereof, and directed him to request leave to sit again on Monday next.

Which Report was accepted, and leave was given accordingly.

On the motion of Mr. Solicitor General, seconded by Mr. Thompson, the House adjourned until Monday next at ten o'clock in the forenoon.



*Monday 23rd. June 1800.*

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the Proceedings of Saturday last were read.

And then the House resolved itself into Committee to resume the further consideration of the Bill for the further introduction of the Criminal Law of England into this Province, and for the more effectual punishment of certain offenders.

Mr. Smith in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill and had agreed thereto without any amendment. Which Report was accepted.

On the motion of Mr. Solicitor General, seconded by Col. Macdonell,

Ordered. That the said Bill be read a third time to-morrow.

The Bill for the more uniform laying of assessments throughout this Province was read the third time as engrossed.

Ordered, That the said Bill do pass, and the same was signed accordingly by Mr. Speaker.

Mr. Solicitor General, seconded by Mr. Jessup, moved that the Bill for the more equal representation of the Province in Parliament be now read the third time as engrossed.

And the same was read the third time accordingly, under the title, as amended in Committee, of "A Bill for the more equal representation of the Commons of this Province in Parliament."

On the question being put from the Chair if the said Bill should pass the House divided, and the Yeas and Nays were taken down at the desire of Mr. Beasley, and stood as follows, to wit:

**YEAS.**

MR. SOL'R GENERAL.  
COL. MACDONELL.  
CAPT. MCKEE.  
CAPT. WILKINSON.  
CAPT. FRASER.  
MR. JESSUP.  
MR. THOMPSON.

**NAYS.**

MR. BEASLEY.  
MR. HARDISON.  
MR. SMITH.  
MR. CORNWALL.  
MR. FAIRFIELD.

And so it was carried in the affirmative by a majority of two.

Ordered, accordingly, That the Bill intituled as last aforesaid do pass, and the same was signed accordingly by Mr. Speaker.

The Bill to declare the right of certain grants of waste lands of the Crown was read the third time.

Ordered, That the House do concur therein, and that the same do pass accordingly.

Upon which Mr. Speaker signed the same.

On the motion of Mr. Beasley, seconded by Mr. Hardison,

Ordered, That Col. Macdonell, Capt. Fraser and Capt. McKee be a Committee to carry up the said Bill to the Legislative Council, and do inform them that this House has concurred in passing the same without any amendment.

And to carry up at the same time the other two Bills which have passed the House this day, and to request their concurrence therein.

Which Committee being returned reported that they had carried up the said Bills and delivered the said Messages.

And then the House resolved itself into Committee to resume the consideration of the receipt and application of the Provincial Revenue.

Captain Fraser in the Chair.

The Committee went through the examination of the Provincial Treasurer's Accounts.

Mr. Speaker resumed the Chair.

The Chairman reported in writing as follows, to wit:

"The Committee to report upon the Provincial Treasurer's Accounts proceeded to take them into consideration, and observed in the Provincial Treasurer's Statements that 53 blank licenses were returned by the Secretary, and in the Secretary's Account there appears to have been returned the same day 43 only, which the Committee beg leave may be explained. It also appears that the Treasurer has stated his allowance of 3% on £423. 8. 9. twice, which the Committee also request explanation of. The Committee recommend that in future the duties arising within each year be stated in an account by themselves, so that a balance may be struck each year of the sum remaining in the Treasurer's hands; and that no monies received from licenses issued in two separate years be included in the same account.

The Committee further recommend that the Clerk of the House do furnish the Provincial Treasurer with a copy of the Report, and request his answer thereto."

Which report was accepted.

A Message was received from the Legislative Council, and delivered in the following words, to wit:

Mr. Speaker:—

The Honorable the Legislative Council have concurred in passing the Bill for the more easy convicting of persons selling spirituous liquors without license, with amendments, which Bill with the amendments therein they now return to this House, and request your concurrence in the latter.

After which the Messenger withdrew.

On the motion of Captain Wilkinson, seconded by Mr. Beasley, the House adjourned until to-morrow morning at ten o'clock.

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*Tuesday 24th. June 1800.*

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

Mr. Solicitor General, seconded by Mr. Thompson, moved for leave to bring in to-morrow a Bill for the more easy convicting of persons selling spirituous liquors by retail without license, and for the better collection of the Revenue arising from Still, Tavern, and Shop Licenses, and leave was given accordingly.

The Bill for the better introduction of the Criminal Law of England into this Province, and for the more effectual punishment of certain offenders was read the third time.

On the question being put from the Chair, shall the Bill intituled as aforesaid pass, the House divided, and the names were taken down at the desire of Mr. Beasley, and were as follows:—

## YEAS.

MR. SOLICITOR GEN.  
COL. MACDONELL.  
CAPT. McKEE.  
CAPT. WILKINSON.  
CAPT. FRASER.  
MR. JESSUP.  
MR. THOMPSON.

## NAYS.

MR. BEASLEY.  
MR. HARDISON.  
MR. SMITH.  
MR. CORNWALL.  
MR. FAIRFIELD.

And so the question was carried in the affirmative by a majority of two.

Ordered, That the said Bill do pass accordingly

And the same was signed by Mr. Speaker.

On the motion of Mr. Solicitor General, seconded by Capt. Fraser,

Ordered, That Col. Macdonell and Capt. McKee be a Committee to return the Said Bill to the Legislative Council, and to inform them that this House have concurred therein and passed the same without any amendment.

Which Committee being returned reported that they had carried up the said Bill and delivered the said Message accordingly.

Mr. Speaker acquainted the House that the Clerk having transmitted a copy of the proceedings of the Committee to examine into the receipt and application of the Provincial Revenue (as reported yesterday) to the Provincial Treasurer had received a written answer, which by the leave of the House was read as follows:—

Treasurer's and Receiver Gen. Off.

23rd. June 1800.

Sir:—

I am to acknowledge the receipt of your letter of this date, and you will be pleased to inform the committee that the Secretary received from Lieut. Governor's Office 196 blank Shop and Tavern Licenses, expirable on the 5th. April 1800, for 143 of which he paid duties to the Treasurer and returned to him fifty three blanks unissued.

The entry of 3% on £423. 8. 9. in two different places of the credit side of the Treasurer's Account is a clerical error which was not adverted to in comparing copies, and for which the Treasurer has to ask pardon. You will therefore be pleased to expunge one of the entries, as it makes no difference in the total.

As the Treasurer in his capacity as Receiver General accounts regularly at the close of each year with the Lords of His Majesty's Treasury, he credits the Public with the duties as he receives them from the Secretary, and as the Secretary from the neglect of his Deputies or other causes makes his payments sometimes of two years together (as in the present instance, where it appears that of Still Licenses expiring in April 1799 part was paid in 1798 part in 1799 and the balance in 1800; and the whole of those in shops and taverns expiring in April 1799 were paid in 1800) it will be almost impossible to comply with the Committee's desire



(unless the Secretary is equally regular in his payments) without causing confusion in my accounts, and those to the House of Assembly ought to perfectly correspond in all their parts.

In the Account before the Committee it will be pleased to observe that the Account is enclosed to the 31st. December 1799 on purpose that the Committee might notice that the balance was then in favour of the Treasurer, and consequently nothing left in the close of the year to be transmitted to England for the support of the War.

But the Secretary having since last April paid into the Treasurer's hands the duties on all licenses on the 5th. April 1799, and on the 5th. April 1800 a balance (as therein stated) remains now to be applied as the Honorable House may be pleased to direct.

I am, Sir,  
Your Most Obedient Humble Servant,  
Peter Russell,  
Prov'l. Treasurer.

Angus McDonell, Esq., Clerk to the House of Assembly.

On the motion of Mr. Solicitor General, seconded by Mr. Hardison,—that the House do now resolve itself into Committee to take the observations contained in the said Letter into consideration—

The House resolved itself into Committee accordingly.

Mr. Beasley in the Chair.

The Committee went into the consideration of the said observations.

Mr. Speaker resumed the Chair.

The Chairman brought up the Report of the Committee in writing, which Report being read was accepted, and is as follows, to wit:

The Committee to take into consideration the answer of the Provincial Treasurer to their former Report proceed accordingly, and recommend that the entry of 3% on £423.8.9 in two different places be corrected as requested by the Treasurer.

The Committee are satisfied with the reason assigned by the Provincial Treasurer which prevents him from conforming in future to their recommendation with respect to the annual statement of his accounts.

On the motion of Mr. Beasley, seconded by Mr. Solicitor General, the House adjourned until ten o'clock to-morrow morning.

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*Wednesday 25th. June 1800.*

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the Proceedings of yesterday were read.

Mr. Speaker informed the House that two papers had been transmitted under cover to the Clerk by order of His Excellency the Lieutenant Governor, to be laid before the House for their information as follows, to wit:

General account of articles (on which duties on importation are imposed by the Legislature of Lower Canada) which have passed Coteau du Lac upwards from 1st. January to 31st. June 1799, agreeable to written accounts thereof received, or as ascertained on examination of carriages according to the Act.

And general account of dutiable articles which have passed Coteau du Lac downwards during the same period.

Which papers by leave of the House were laid upon the Table.

The clerical errors contained in the Provincial Treasurer's account current for the year last expired agreeable to the report of the Committee thereon was corrected by expunging one of the entries.

A Bill for the more easy convicting of persons selling spirituous liquors by retail without License and for the better collection of the Revenues arising from Still, Tavern and Shop Licenses was read the first time.

On the motion of Mr. Solicitor General, seconded by Col. Macdonell,

Ordered, That the said Bill be now read a second time, and the same was read the second time accordingly.

On the motion of Mr. Beasley, seconded by Mr. Hardison,—That the House do now resolve itself into Committee to take the said Bill into consideration—

The House resolved itself into Committee accordingly.

Captain Fraser in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill and had agreed thereto with an amendment, which Report was accepted.

And the said Bill having been read as amended was agreed to.

On the motion of Mr. Solicitor General, seconded by Col. Macdonell,—That the said Bill be engrossed and read a third time to-morrow—it was ordered accordingly.

On the motion of Mr. Fairfield, seconded by Col. Macdonell, the House adjourned until ten o'clock to-morrow morning.

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*Thursday 26th. June 1800.*

The House being met, and Mr. Speaker having taken the Chair, Prayers were read accordingly.

The Minutes of the Proceedings of yesterday were read.

Mr. Fairfield, seconded by Mr. Beasley, moved that the order for the third reading this day of the engrossed Bill for the more easy convicting of persons selling spirituous liquors by retail, without license, and for the better collection of the Revenue arising from Still, Tavern and Shop licenses be discharged, and that the said Bill be read a third time in three months.

Whereupon debates ensued.

At fifteen minutes past eleven o'clock Mr. Speaker ordered the Clerk to take down the names of the Members present.

And they were taken down as follows, to wit:

COL. MACDONELL.

CAPT. FRASER.

MR. SMITH.

MR. FAIRFIELD.

And then Mr. Speaker for want of a quorum adjourned the House for one hour.

At fifteen minutes past twelve o'clock, the House having met, and Mr. Speaker taken the Chair

The names of the Members present by desire of Mr. Speaker were taken down as follows, to wit:

MR. THOMPSON.  
MR. FAIRFIELD.  
MR. JESSUP.  
CAPTAIN FRASER.  
CAPTAIN WILKINSON.  
COLONEL MACDONELL.  
MR. SMITH.  
MR. BEASLEY.  
MR. CORNWALL.

Being nine Members exclusive of Mr. Speaker.

Captain McKee having taken his seat while the Clerk was taking down the number of the Members present,

Ordered, on the motion of Mr. Beasley seconded by Mr. Thompson, That his name be added to the list of those present.

And then the question upon Mr. Fairfield's motion for the third reading of the Bill intituled as aforesaid in three months being put, the House divided thereupon, Yeas five, upon which Mr. Speaker addressing himself to the House observed that as the equal division of the House referred the question to his decision, and as the matter involved matters of intricacy in themselves, and of importance to the country he would defer giving his vote until to-morrow.

Mr. Speaker observed to the House that on adjourning the House at fifteen minutes past eleven o'clock he had caused the absent Members of the House to be notified that the House had been adjourned for one hour only, and that the messenger had called at the residence of Mr. Hardison and had not found him at home.

On the motion of Colonel Macdonell, seconded by Captain Wilkinson, Ordered, That the Serjeant At Arms do immediately wait upon Mr. Hardison and do inform him to repair forthwith to his service in this House.

A Message was received from the Legislative Council and delivered in the following words, to wit:

Mr. Speaker:—

The Honorable the Legislative Council have concurred in passing the Bill for the more uniform laying of assessments throughout this Province, with amendments, in which amendments they request the concurrence of this House.

And then the Messenger withdrew.

The said Bill was read as amended.

On the motion of Col. Macdonell, seconded by Mr. Beasley, the same was read a second time.

On the motion of Mr. Beasley, seconded by Mr. Solicitor General,—That the House do now resolve itself into Committee to go into the consideration of the said Bill as amended—

The House resolved itself into Committee accordingly.

Captain McKee in the Chair.

The Committee went into the consideration of the said Bill as amended.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had not concurred in the said Bill as amended by the Legislative Council, because being a Bill which had for



its object the raising of supplies for the Public Service it would be an infringement of the privileges of the House to permit any amendment or alteration to be made therein in the Legislative Council. The Chairman further reported that he was directed to report that the Committee had taken into consideration the necessity of making some other provision for the purposes of the said Bill, and had draughted another Bill to that effect, the draught of which he had been directed to report.

Which Report was accepted, and the said draught was read the first time under the title of "A Bill for the uniform laying of assessments within this Province."

On the motion of Mr. Beasley, seconded by Mr. Jessup,

Ordered, That the said Bill be read a second time to-morrow.

A Message was received from the Legislative Council, and delivered in the following words,

Mr. Speaker:—

The Honorable the Legislative Council have concurred in passing with amendments a Bill for the more equal representation of the Commons of this Province in Parliament, in which amendments they request the concurrence of this House. They also send down for the concurrence of this House a Bill for the regulation of Special Juries, which they request may meet with your concurrence.

And the Messenger having withdrawn the former Bill as amended in the Legislative Council was read.

On the motion of Mr. Beasley, seconded by Mr. Smith,

Ordered, That the said Bill be read a second time to-morrow.

The Bill for the regulation of Special Juries was also read.

On the motion of Mr. Solicitor General, seconded by Mr. Beasley,

Ordered, That the same be read a second time to-morrow.

Mr. Speaker informed the House that the Serjeant At Arms, having in compliance with the command of the House gone to the residence of Mr. Hardison to request his immediate attending on his service in the House, reported to him that Mr. Hardison had not been found at home.

Ordered, on the motion of Mr. Solicitor General, seconded by Mr. Smith, That there be a call of the House to-morrow, and that the Serjeant At Arms do again repair to the residence of Mr. Hardison, and do acquaint him that such call is on account of his absence, this day.

Mr. Smith, from the Committee appointed to examine into and report upon the books and papers belonging to the House, brought up the Report of the said Committee as follows, to wit:

Mr. Speaker:—

The Committee appointed to inspect the books and papers belonging to this House report as follows:

### BOOKS

Three Vols. of the Journals of the House of Assembly of the Province of Lower Canada, from the first sitting of its Parliament to the end of the last session in May 1799. 1 Vol. Ordinances of Quebec, lent Mr. Justice Alcock. 2 Vol. of Provincial Statutes of ditto to same period.

## PAPERS.

Journals of this House in manuscript from 17th. September 1792 up to the present time, being nine Sessions.

THOMAS SMITH  
ROBT. I. D. GRAY      Committee.  
EDWARD JESSUP

Which Report was accepted.

On the motion of Mr. Smith, seconded by Mr. Beasley.

Ordered, That the House do resolve itself into Committee to-morrow to go into the consideration of the said Report.

On the motion of Colonel Macdonell, seconded by Mr. Beasley, the House adjourned until to-morrow morning at ten o'clock.

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*Friday 27th. June 1800.*

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the Proceedings of yesterday were read.

The Bill for the more uniform laying of assessments within this Province was read the second time.

Mr. Speaker informed the House that he felt it to be a matter of much delicacy to give his casting vote upon the question which was reserved yesterday, and expressed a desire that the Members who had voted on the occasion would consent to reconsider the Bill on a Committee of the whole House.

Who having been severally asked touching their consent that the House do now resolve itself into Committee to reconsider the said Bill all answered in the affirmative, Mr. Beasley excepted, who made answer in the negative.

And thereupon the House resolved itself into Committee to reconsider the Bill for the more easy convicting of persons selling liquors by retail without license, and for the better collection of the Revenue arising from Still, Tavern and Shop Licenses.

Mr. Cornwall in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had reconsidered the said Bill and had agreed thereto with amendments.

Which Report was accepted, and the said Bill having been read as amended was agreed to.

Mr. Beasley moved, seconded by Mr. Smith, That the said Bill be re-engrossed and read a third time this day.

And the question having been thereof put the same passed in the negative.

Mr. Beasley moved, seconded by Mr. Cornwall, that the said Bill be re-engrossed and read a third time to-morrow.

And the question having been thereupon put passed in the negative.

Mr. Beasley moved, seconded by Mr. Smith. That the said Bill be now re-engrossed.



And thereupon the question having been put the same was carried in the affirmative.

Agreeable to the Order of the Day the names of the Members of this House were called over, of whom the following only were absent, to wit:

David William Smith, Esq.  
Solomon Jones, Esq.

The Bill for the more equal representation of the Commons of this Province in Parliament, as amended by the Legislative Council, was read the second time.

On the motion of Mr. Solicitor General, seconded by Mr. Cornwall,—That the House do now resolve itself into Committee to take the said Bill as amended into consideration,—

The House resolved itself into Committee accordingly.

Mr. Jessup in the Chair.

The Committee went through the said Bill as amended.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill as amended, and had agreed thereto excepting in one particular. Which Report was accepted.

On the motion of Mr. Solicitor General, seconded by Mr. Beasley,

Ordered, That Capt. McKee, Mr. Cornwall, Mr. Smith, Colonel Macdonell and Captain Wilkinson be a Committee to request a conference with the Honorable the Legislative Council upon the subject of an amendment made by them in a Bill for the more equal representation of the Commons of this Province in Parliament.

On the motion of Mr. Beasley, seconded by Mr. Cornwall,—That the House do now resolve itself into Committee to go into the consideration of the Bill for the more uniform laying of assessments within this Province—

The House resolved itself into Committee accordingly.

Capt. McKee in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill and had agreed thereto without any amendment, which Report was accepted.

On the motion of Mr. Beasley, seconded by Mr. Cornwall,

Ordered, That the said Bill be engrossed and read a third time to-morrow.

On the motion of Mr. Solicitor General, seconded by Mr. Smith,

Ordered, That the Order for the second reading this day of the Bill for the regulation of Special Juries be discharged, and that the said Bill be read a second time to-morrow.

On the motion of Mr. Solicitor General, seconded by Mr. Jessup, the House adjourned until to-morrow morning at ten o'clock.

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*Saturday 28th. June 1800*

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the proceedings of yesterday were read.



The Bill for the more easy convicting of persons selling spirituous liquors by retail without license and for the better collection of the Revenue arising from Still, Tavern and Shop Licenses was read a third time as engrossed.

On the motion of Mr. Smith, seconded by Mr. Fairfield, leave was given to amend the said Bill by means of a rider annexed thereto, and then it was ordered that the said Bill do pass, and Mr. Speaker signed the same accordingly.

On the motion of Colonel Macdonell, seconded by Captain Wilkinson,

Ordered, That Captain McKee, in consequence of the indisposition of his family, have leave to withdraw himself from the Committee appointed to request a conference with the Legislative Council upon the subject of an amendment made by them in the Bill for the more equal representation of the Commons of this Province in Parliament, and that Mr. Beasley be added to the said Committee in lieu of Capt. McKee.

The Bill for the regulation of Special Juries was read the second time.

On the motion of Mr. Thompson, seconded by Mr. Jessup,—That the House do now resolve itself into Committee to go into the consideration of the said Bill—

The House resolved itself into Committee accordingly.

Mr. Fairfield in the Chair,

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill, and had agreed thereto with an amendment, which Report was accepted.

And the said amendment having been read was agreed to.

On the motion of Mr. Solicitor General, seconded by Captain Wilkinson leave was given to Mr. Solicitor General to propose an additional clause to be inserted in the Bill for the more uniform laying of assessments within this Province, and the said additional clause having been read was agreed to, and ordered to be now engrossed and be part of the said Bill.

On the motion of Col. Macdonell, seconded by Captain Wilkinson,

Ordered, That a Committee be appointed to carry up to the Legislative Council for their concurrence the Bill for the more easy convicting of persons selling spirituous liquors by retail without license, and for the better collection of the Revenue arising from Still, Tavern and Shop Licenses.

On the motion of Mr. Thompson, seconded by Mr. Beasley,

Ordered, That Capt. Fraser, Mr. Fairfield, and Mr. Smith be a Committee accordingly.

And then the House resolved itself into Committee to take up again the consideration of the Books and Papers belonging to the House.

Mr. Beasley in the Chair.

The Committee went into the consideration of such additional Books and Papers as it may be expedient to procure for the use of both Houses of Parliament.

On notice that Black Rod was at the Door,

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had made a progress in the consideration of the said subject, and requested leave to sit again this day.

Which Report was accepted, and leave was given accordingly.

A Message was received from the Legislative Council, and was delivered in the following words.

**Mr. Speaker:—**

The Honorable the Legislative Council request to know upon which amendment made in the Bill for the more equal representation of the Commons of this Province in Parliament the Assembly wishes a conference.

And then the Messenger withdrew.

**Mr. Solicitor General** moved, seconded by **Col. Macdonell**, That a Committee be appointed to inform the Legislative Council that the amendment upon which this House requested a conference with them was that which altered their provision for the representation in Parliament of the District of London and the Western District.

On the motion of **Mr. Smith**, seconded by **Mr. Thompson**,

Ordered, That **Mr. Beasley** accompanied by **Mr. Cornwall** do inform the Legislative Council that this House has requested a conference upon the subject of the said amendment.

**Mr. Beasley** having returned reported that he had carried up the said Message to the Legislative Council.

On the motion of **Mr. Solicitor General**, seconded by **Col. Macdonell**.

Ordered, That the amendment made to the Bill for the regulation of Special Juries be now engrossed.

And then the House resolved itself into Committee to resume the consideration of the Books and Stationery proper to be procured for the use thereof.

**Mr. Beasley** in the Chair.

The Committee resumed the consideration aforesaid.

**Mr. Speaker** resumed the Chair.

The Chairman reported that the Committee had resumed the consideration of the said Subject, and had directed him to report as follows, to wit:—

The Committee report that it is necessary that the House should be furnished with the following articles, which they recommend to the House to, direct to be procured viz:

1. Large Blank Book for the Journals to be fairly copied into

1. Large Blank Book for the Laws to be copied into

1. Set of the British Statutes at Large.

1. Flatsells Precedents.

1. Blackstone's Commentaries.

1. Burns' Justice

1. The Law of Parliament

Half a dozen complete sets of the Provincial Laws of Upper Canada.

1. Glass Book case.

And that the sum of £70. be voted for the purpose of purchasing the above articles, and that an Humble Address be presented to His Excellency the Lieutenant Governor praying him to issue his Warrant in favour of the Honorable the Speaker of the House of Assembly for the purpose aforesaid.

The Committee recommend that this Report be amended, and that the sum voted be altered from £70. to £30. in consequence of the Statutes at large, Flatsell's Commentaries, and the Law of Parliament being otherwise obtained.

Which Report was accepted.

The Bill for the more uniform laying of assessments within this Province was read the third time as engrossed.

Ordered, That the same do pass, and it was signed accordingly by **Mr. Speaker**.

The amendments made in the House to the Bill for the regulation of Special Juries were read as engrossed.

Ordered, That the same do pass, and the same was signed accordingly by Mr. Speaker.

On the motion of Colonel Macdonell, seconded by Mr. Jessup,

Ordered, That Mr. Solicitor General accompanied by Captain Wilkinson and Captain Fraser do carry up to the Legislative Council the Bill for the more uniform laying of assessments within this Province, and do request their concurrence therein, and do likewise return to them the Bill for the regulation of Special Juries, with the amendments of this House thereto, and do inform them that this House has passed the same with the said amendment.

A Message was received from the Legislative Council and delivered in the following words.

Mr. Speaker:—

The Honorable the Legislative Council have appointed a Committee who are now ready to meet a Committee of your House in the Legislative Council Chamber for the purpose of conferring upon the amendment made to the Bill for the more equal representation of the Commons of this Province in Parliament.

And then the messenger withdrew.

Upon which it was ordered, on the motion of Mr. Solicitor General, seconded by Colonel Macdonell, that Mr. Smith and Mr. Beasley be a Committee to confer immediately with the Committee of the Legislative Council on the subject of the said amendment.

A Message was received from the Legislative Council and delivered in the following words.

Mr. Speaker:—

The Honorable the Legislative Council have concurred in passing with amendments the Bill sent up to them intituled "An Act for the more easy convicting of persons selling spirituous liquors by retail without license, and for the better collection of the Revenue arising from Still, Tavern, and Shop licenses, in which amendment they request the concurrence of this House.

And then the messenger withdrew.

Upon which the amendments made in the Legislative Council to the said Bill were read.

On the motion of Mr. Solicitor General, seconded by Captain Fraser,

Ordered, That the said Bill as amended in the Legislative Council be laid aside as the amending of a Bill connected with the raising of the Revenue is contrary to the privileges of this House.

Mr. Cornwall, from the Committee appointed to confer with a Committee of the Legislative Council on the subject of their objectionable amendment to the Bill for the more equal representation of the Commons of this Province in Parliament, reported that having conferred accordingly the Managers from the Legislative Council had concurred with those from this House in the propriety of withdrawing the said amendment.

Which Report was accepted.

A Message was received from the Legislative Council and delivered in the following words.



Mr. Speaker:—

The Honorable Legislative Council agree to withdraw so much of their amendments made in the Bill for the more equal representation of the Commons of this Province in Parliament as relates to the District of London and the Western District.

Upon which the messenger withdrew.

Mr. Solicitor General, seconded by Captain Wilkinson, moved for leave to bring in on Monday next a Bill for the more easy convicting of persons selling spirituous liquors without a license.

And the question having been put, "Shall leave be given accordingly," the same passed in the negative.

On the motion of Mr. Solicitor General, seconded by Captain Wilkinson,

Ordered, That the Bill for the more equal representation of the Commons of this Province in Parliament be engrossed as amended with the concurrence of the Legislative Council, and read on Monday next.

Captain Fraser, seconded by Mr. Solicitor General, moved for leave to bring in a Bill for the summary conviction of persons selling spirituous liquors by retail without license.

And leave having been given accordingly the same was read the first time.

On the motion of Captain Fraser, seconded by Captain Wilkinson, the said Bill was read a second time.

On the motion of Captain Fraser, seconded by Col. Macdonell,

Ordered, That the said Bill be engrossed, and read a third time on Monday next.

A message was received from the Legislative Council, and delivered in the following words.

Mr. Speaker:—

The Honorable the Legislative Council return to this House the Bill for the more uniform laying of assessments within this Province, which they have concurred in passing without amendment.

And the Messenger, having delivered the said Bill as amended to Mr. Speaker, withdrew.

On the motion of Col. Macdonell, seconded by Mr. Solicitor General, the House adjourned until Monday morning at eight o'clock.

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*Monday 30th. June 1800.*

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The minutes of the proceedings of Saturday last were read.

The Bill for the more equal representation of the Commons of this Province in Parliament was read as amended and engrossed under the title of "A Bill for the more equal representation of the Commons of this Province in Parliament and for the better defining the qualifications of Electors."

On the motion of Mr. Smith, seconded by Mr. Cornwall,

Ordered, That Mr. Solicitor General, accompanied by Captain McKee, do go up to the Legislative Council, and inform them that this House has concurred in their amendments to the said Bill with the modifications consented to in the conference thereon.

On the question being put by Mr. Speaker, "Shall the Bill intituled as afore-said pass," Mr. Fairfield requested that the Yeas and Nays should be taken down, and they were taken down as follows to wit:—

## YEAS.

MR. SOL'R GENERAL.  
CAPTAIN WILKINSON  
CAPT. McKEE.  
MR. SMITH  
COL. MACDONELL  
CAPTAIN FRASER  
MR. JESSUP  
MR. THOMPSON

## NAYS.

MR. FAIRFIELD  
MR. BEASLEY  
MR. CORNWALL

And so it was carried in the affirmative by a majority of five.

Ordered, accordingly, That the said Bill do pass, and the same was signed by Mr. Speaker accordingly.

On the motion of Mr. Solicitor General, seconded by Capt. Fraser.

Ordered, That Captain McKee and Captain Wilkinson be a Committee to carry up the said Bill to the Legislative Council, and to inform them that this House has concurred therein as amended.

On the motion of Mr. Solicitor General, seconded by Capt. Fraser,—That the House do now resolve itself into Committee to go in the consideration of the receipt and application of the Provincial Revenue—

The House resolved itself into Committee accordingly

Capt. Wilkinson in the Chair.

The Committee went into the consideration of the sums of money due to the Officers of the Provincial Parliament for salaries and contingencies.

Mr. Speaker resumed the Chair.

The Chairman reported a progress, and requested leave to sit again this day.

Which Report was accepted, and leave was given accordingly.

Ordered, on the motion of Mr. Solicitor General seconded by Capt. Fraser, That a message be sent to the Honorable the Legislative Council requesting them to inform this House what Officers they have had occasion to employ during the present Session, that provision may be made by this House for the payment of their salaries.

On the motion of Mr. Solicitor General, seconded by Capt. McKee,

Ordered, That Mr. Thompson and Mr. Smith be a Committee to carry up the said message.

The Bill for the more uniform laying of assessments, and rates throughout this Province as engrossed, was read the third time.

Ordered, That the said Bill do pass, and Mr. Speaker signed the same accordingly.

On the motion of Mr. Beasley, seconded by Mr. Smith,

Ordered, That Capt. Fraser and Mr. Cornwall be a Committee to carry up the said Bill to the Legislative Council, and to request their concurrence therein.

A Message was received from the Legislative Council, and delivered in the following words.

Mr. Speaker:—

I am directed by the Honorable the Legislative Council to bring down to this House a list of the officers who have been attendant upon the Honorable the Legislative Council during the present Session.

And having delivered the same the Messenger withdrew.

Which list was read as follows, to wit:

Officers attendant upon the Honorable the Legislative Council during the fourth session of the second Provincial Parliament of Upper Canada.

Rev. John Stuart, D.D. Chaplain.

David Burns, Esq. Master in Ch'y.

James Clark, Esq. Clerk.

George Law, Esq. Usher of the Black Rod.

Mr. John McBride, Door-keeper.

J. ELMSLEY,  
Speaker.

On motion of Capt. Fraser, seconded by Mr. Solicitor General,—That the House do now resolve itself into Committee to resume the consideration of the receipt and application of the Provisional Revenue—

The House resolved itself into Committee accordingly.

Captain Wilkinson in the Chair.

The Committee resumed the consideration thereof.

Mr. Speaker resumed the Chair.

The Chairman reported a further progress, and requested leave to sit again to-morrow.

Which report was accepted, and leave was given accordingly.

A Message was received from the Legislative Council and delivered in the following words, to wit:

Mr. Speaker,

The Honorable the Legislative Council have concurred in the amendment made by this House to the Bill for the regulation of Special Juries, and have concurred in passing without any amendment the Bill for the more uniform laying of assessments and rates throughout this Province.

And then the messenger withdrew.

The Bill for the summary conviction of persons selling spirituous liquors by retail without license was read a third time as engrossed.

Ordered, That the said Bill do pass, and the same was signed by Mr. Speaker accordingly.

On the motion of Mr. Solicitor General, seconded by Capt. Fraser.

Ordered that Mr. Fairfield and Mr. Cornwall be a Committee to carry up the said Bill to the Legislative Council, and to request their concurrence therein.

On motion of Capt. Fraser, seconded by Mr. Solicitor General the House adjourned until to-morrow at twelve o'clock.

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*Tuesday 1st. July 1800.*

The House being met, and Mr. Speaker having taken the Chair, prayers were read.

The Minutes of the proceedings of yesterday were read.



On the motion of Mr. Jessup, seconded by Mr. Hardison,—that the House do now resolve itself into Committee to resume the consideration of the receipt and application of the Provincial Revenue—

The House resolved itself into Committee accordingly.

Capt. Wilkinsón in the Chair.

The Committee resumed the consideration aforesaid.

Mr. Speaker resumed the Chair.

The Chairman brought up the Report of the Committee in writing, as follows, to wit:

# REPORT OF THE COMMITTEE TO TAKE INTO THEIR CONSIDERATION THE RECEIPTS AND APPLICATION OF THE PROVINCIAL REVENUE.

Resolved, That the following sums of money be paid to the respective persons hereinafter mentioned.

To the Speaker of the House of Assembly for his Salary.....	£200.	0.	0.
To the Speaker of ditto to enable him to purchase sundry Books and other articles for the use of the House of Assembly.....	30.	0.	0.
To the Speaker of ditto to enable him to have fifty copies of the Journals of the House printed .....	150.	0.	0.
To the Clerk of the House of Assembly for his salary .....	125.	0.	0.
To ditto for contingencies .....	50.	0.	0.
To the Clerk of the Legislative Council for his salary .....	125.	0.	0.
To ditto for contingencies .....	20.	0.	0.
To the Chaplain of the Legislative Council .....	30.	0.	0.
To ditto of the Assembly .....	30.	0.	0.
To the Serjeant At Arms .....	50.	0.	0.
To the Bearer of the Black Rod .....	30.	0.	0.
To the Doorkeeper of the Legislative Council .....	15.	0.	0.
To ditto for extra services in going with messages .....	5.	0.	0.
To the Doorkeeper of the House of Assembly .....	15.	0.	0.
To ditto for other services as above .....	5.	0.	0.
To Sylvester Tiffany, Printer, for printing a Bill intituled An Act to improve the communication by land and by water between the Lakes of Ontario and Erie pursuant to the Order of last Session .....	4.	10.	0.
To the Bearer of the Black Rod for a sword.....	6.	5.	0.
To the Serjeant at Arms for do .....	6.	5.	0.
To Do for contingencies .....	5.	15.	0.
To Capt. Hugh McDonell, Adj. General of the Militia, for one year and nine months salary due him in June 1797, the fund appointed by law not proving sufficient to pay him.....	139.	13.	9.
	<hr/> £1,032.	8.	9.

Resolved, That an Humble Address may be presented to His Excellency the Lieutenant Governor that he will be pleased to issue his Warrant in favor of the several persons herein above mentioned for the sums of money voted to them, and that the same may be charged to the fund appropriated for that purpose, and that the residue may be applied in such manner as it shall please His Majesty to direct towards the support of the War.

R. N. Wilkinson,  
Chairman.

Which Report was accepted and approved by the House.

Samuel Street,  
Speaker.

On the motion of Mr. Solicitor General, seconded by Captain McKee,

Ordered, That the Clerk of this House do furnish Mr. Speaker without delay a Copy of the Journals of the two Parliaments.

On the motion of Mr. Solicitor General, seconded by Mr. Hardison the House adjourned until to-morrow morning at nine o'clock.

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*Wednesday 2nd. July 1800.*

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the proceedings of yesterday were read.

A Message was received from the Legislative Council, and delivered in the following words.

Mr. Speaker:—

The Honorable the Legislative Council have concurred in passing the Bill for the more summary conviction of persons selling spirituous liquors by retail without license without any amendment.

And then the messenger withdrew.

Ordered, on the motion of Mr. Solicitor General, seconded by Capt. McKee, That a Committee be appointed to carry up to the Legislative Council a copy of the resolutions and votes of this House for the payment of the salaries and contingent accounts due to the Officers of the two Houses of Parliament and to other persons, and for other purposes therein mentioned.

On the motion of Mr. Solicitor General, seconded by Capt. McKee,

Ordered, That Mr. Thompson and Mr. Jessup be a Committee to carry up the same to the Legislative Council.

On the motion of Mr. Solicitor General, seconded by Mr. Smith,—That the names of the Members now present be taken down—

The names were taken down accordingly as follows

MR. SPEAKER  
MR. SOLICITOR GENERAL.  
MR. SMITH  
CAPTAIN MCKEE  
CAPTAIN FRASER  
COLONEL MACDONELL  
MR. FAIRFIELD

CAPTAIN WILKINSON  
MR. THOMPSON  
MR. CORNWALL  
MR. JESSUP  
MR. BEASLEY  
MR. HARDISON.

A message was received from the Legislative Council and delivered in the following words.

Mr. Speaker:—

The Honorable the Legislative Council request that the House of Assembly do furnish them with a list of the sums voted during this Parliament to the several Officers of the respective Houses for their Salaries and contingent charges.

On the motion of Mr. Solicitor General, seconded by Captain Fraser,—That the House do now resolve itself into Committee to take the said message into consideration—

The House resolved itself into Committee accordingly.

Mr. Hardison in the Chair.

The Committee went into the consideration of the said message.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration aforesaid, but had come to no resolution thereupon, which Report was accepted.

Mr. Solicitor General, seconded by Capt. Fraser, moved for leave to bring in to-morrow a Bill for the relief of Hugh Macdonell, late Adjutant General of the Militia of this Province

And leave was given accordingly.

Mr. Solicitor General, seconded by Capt. Fraser moved for leave to bring in to-morrow a Bill to defray the salaries of the different Officers, and the contingent expenses of the Legislative Council and Assembly of this Province during the present Session.

And leave was given accordingly.

On the motion of Mr. Solicitor General, seconded by Colonel Macdonell, the House adjourned until to-morrow morning at nine o'clock.

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*Thursday 3rd. July 1800.*

The House being met and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the Proceedings of yesterday were read.

At fifteen minutes after four o'clock in the afternoon

On the motion of Mr. Thompson, seconded by Mr. Jessup,

Ordered, That the whole proceedings of this day be struck off the Journals as tending to derogate from the rights and privileges of this House.

Mr. Speaker having desired the Yeas and Nays to be taken down on the question being put in respect of the said Order, the same were taken down, and stood as follows, to wit:

YEAS.

MR. HARDISON  
MR. FAIRFIELD  
MR. THOMPSON  
MR. JESSUP  
MR. CORNWALL  
MR. SMITH  
CAPT. WILKINSON

NAYS.

MR. SOL'R GENERAL



And so it was carried in the affirmative by a majority of seven.

On the motion of Mr. Solicitor General, seconded by Colonel Macdonell, the House adjourned until to-morrow morning at ten o'clock.

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*Friday 4th. July 1800.*

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the Proceedings of yesterday were read.

A Message was received from His Excellency the Lieutenant Governor by the Gentleman Usher of the Black Rod, and delivered in the following words, to wit:

Mr. Speaker:—

I am commanded by His Excellency the Lieutenant Governor to inform this House that His Excellency requires their immediate attendance in the Legislative Council Chamber.

And the House having attended there accordingly, His Excellency was pleased to assent in His Majesty's name to the following Bills.

A Bill intituled "An Act for the further introduction of the Criminal Law of England into this Province, and for the more effectual punishment of certain offenders."

A Bill intituled "An Act for the regulation of Special Jurors."

A Bill intituled "An Act for the more equal representation of the Commons of this Province in Parliament, and for the better defining of the qualifications of electors."

A Bill intituled "An Act for the summary conviction of persons selling spirituous liquors by retail without license."

A Bill intituled "An Act to revive and continue an Act to provide for the appointment of Returning Officers for the several counties within this Province."

And a Bill intituled "An Act for making a temporary provision for the regulation of trade between this Province and the United States of America, by land or by inland navigation."

And His Excellency was pleased to reserve for the future signification of His Majesty's pleasure thereon.

A Bill intituled "An Act to declare the rights of certain grants of waste lands of the Crown."

And a Bill intituled "An Act for the more uniform laying of assessments and rates throughout this Province."

After which His Excellency was pleased to make the following Speech to both Houses of Parliament.

Honorable Gentlemen, and Gentlemen:—

It gives me pleasure that the termination of the Public Business enables me to dismiss you at an early part of the season.

The period is arrived, when, by Constitution of this Province, the present Legislature must be dissolved and a new one formed.

Gentlemen of the Assembly,

In returning to your former stations I trust that you will carry with you much useful information. The experience of four years must have impressed upon your minds a strong sense of the importance of the situation you have filled.

You will therefore, I hope, be desirous to guide and assist your constituents in the choice of those whom they are about to invest with the character of their representatives.

You will point out to them the necessity of selecting those who unite integrity of intention to a correct knowledge of the interests of their country, those who are too well informed to mistake the advantages of a part for the advantages of the whole, and too upright to cover private views with the appearance of public zeal.

To you, Honorable Gentlemen of the Legislative Council, the considerations which address themselves to the representative branch of the Legislature do not apply, but I am confident that you will never cease to remember that the distinction with which the Constitution has invested you obliges you to keep the good of the whole as much in view as if you acted under delegated authority.

I observe with pleasure that many of you are Lieutenants of Counties, and that all of you are Magistrates.

In forming and disciplining the several Regiments of Militia under your command you will be both honorably and usefully employed. But it is more especially in enforcing obedience to the laws and in maintaining good order among those who are within the sphere of your influence and authority, that you will best discharge the appropriate duties of your elevated situation.

In both the one and the other character you may depend on receiving from me every degree of support and every kind of assistance which it is in my power to give.

After which the Honorable the Speaker of the Legislative Council in His Excellency's Name declared the present Parliament prorogued until Tuesday the fourteenth day of August next.

And the same was prorogued accordingly.

Copied from the Original.

(Signed) A. Macdonell.

Clerk of Ass'y.

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[Journal of the House of Assembly of the Province of Upper Canada in 1800, certified to be a true copy.

(Signed) Geo. Mayer,

Librarian and Keeper of the  
Records.

Colonial Office, 18th. July 1855.]





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Journal  
OF THE  
HOUSE OF ASSEMBLY  
OF  
Upper Canada  
1801

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Journal  
OF THE  
HOUSE OF ASSEMBLY  
OF  
Upper Canada,  
1801.

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PROCLAMATION.

GEORGE the Third, By the Grace of God of Great Britain, France and Ireland King, Defender of the Faith and so forth. .

To Our well beloved and faithful, the Legislative Councillors of Our Province of Upper Canada, and to our beloved and faithful the Knights, Citizens and Burgesses of the House of Assembly of our said Province called and chosen to our present Parliament of our said Province and to all our loving subjects whom these presents may concern, Greeting: Whereas we have thought fit, by and with the advice of our Executive Council of our said Province of Upper Canada to dissolve this present Parliament of our said Province, which now stands prorogued till the fourteenth of August next, we do for that end publish this our Royal Proclamation and do hereby dissolve the said Provincial Parliament accordingly, and the Legislative Councillors, and the Knights, Citizens and Burgesses of the House of Assembly are discharged from their meeting and attendance on Thursday the said fourteenth day of August next.

And we, being desirous and resolved that as soon as may be to meet our people of our said Province and to have their advice in Provincial Parliament do hereby make known our Royal Will and Pleasure to call a new Provincial Parliament, and do hereby declare that with the advice of our said Executive Council we have this day given orders for the issuing out Writs in due form for calling a new Provincial Parliament in our said Province, which writs are to bear test on Wednesday the ninth day of this present month of July, and to be returnable on Friday the fifteenth day of August next. In testimony whereof we have caused these our Letters to be made patent, and the Great Seal of our said Province to be hereunto affixed. Witness our Trusty and Well Beloved Peter Hunter Esquire, our Lieutenant Governor of our said Province of Upper Canada, and Lieutenant General Commanding our Forces in our Provinces of Upper and Lower Canada, at York in the Province of Upper Canada this seventh day of July in the Year of Our Lord One Thousand Eight Hundred, and in the fortieth year of our Reign.

P. H.

(Signed) William Jarvis, Sec'y.



By a further Proclamation of His Excellency Peter Hunter Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c., &c., dated at York the 7th Day of August One thousand Eight Hundred, the meeting of the Legislative Council of the House of Assembly stands prorogued to the twentieth day of September next.

By a further Proclamation of His Excellency Peter Hunter Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c., dated at York the thirteenth of September One Thousand Eight Hundred, the meeting of the Legislative Council and House of Assembly stands prorogued to the twenty seventh day of October One Thousand Eight Hundred.

By a further Proclamation of His Excellency Peter Hunter Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c., dated at York the twentieth of October One Thousand Eight Hundred, the meeting of the Legislative Council and House of Assembly stands prorogued to the third day of December One Thousand Eight Hundred.

By a further Proclamation of His Excellency Peter Hunter Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c., dated at York the twenty ninth day of November One thousand eight hundred, the meeting of the Legislative Council and House of Assembly stands prorogued to the ninth day of January One thousand eight hundred and one.

By a further Proclamation of His Excellency Peter Hunter Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. dated at York the third day of January One thousand eight hundred and one, the meeting of the Legislative Council and House of Assembly stands prorogued to the fourteenth day of February One thousand eight hundred and one.

By a further Proclamation of His Excellency Peter Hunter Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieut. General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. dated at York the tenth day of February One thousand eight hundred and one, the meeting of the Legislative Council and House of Assembly stands prorogued to the twenty first day of March One thousand eight hundred and one.

By a further Proclamation of His Excellency Peter Hunter Esquire, Lieut. Governor of the Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c., dated at York the fourteenth day of March One thousand eight hundred and one, The meeting of the Legislative Council and House of Assembly stands prorogued to the twenty ninth day of April One thousand eight hundred and one.

Peter Hunter Lieut. Governor.

#### PROCLAMATION.

GEORGE the Third, by the Grace of God of Great Britain, France and Ireland King, Defender of the Faith and so forth.

'To all our loving subjects Greeting

Whereas by our Proclamation bearing date the fourteenth day of March last, we thought fit by and with the advice of our Executive Council to prorogue our Provincial Parliament until the twentyninth day of this present month of April, at which time in our Town of York you were held and constrained to appear; but we taking into our Royal consideration the ease and convenience of our loving subjects have thought fit by and with the advice of our Executive Council to relieve you and each of you of your attendance at the time aforesaid; hereby convoking and by these presents enjoining you and each of you that on the twenty eighth day of May next ensuing you meet us in our Provincial Parliament in our Town of York for the actual dispatch of Public Business there to take into consideration the state and welfare of our Province of Upper Canada, and therein to do as may seem necessary. Herein fail not. In testimony whereof we have caused these our Letters to be made patent, and the Great Seal of our Province to be hereunto affixed. Witness our trusty and Well beloved Peter Hunter Esquire, our Lieutenant Governor of our said Province, and Lieutenant General Commanding our Forces in the Provinces of Upper and Lower Canada, at York this twenty second day of April in the year of Our Lord One thousand eight hundred and one, and in the fortieth year of our Reign.

P. H.

William Jarvis, Sec'y.

#### PROCLAMATION.

GEORGE the Third, by the Grace of God of the United Kingdom of Great Britain and Ireland and King Defender of the Faith, &c. &c.

'To our trusty and well beloved William Jarvis, John Small, and Donald McLean Esquires,

GREETING:—Whereas by a certain Act of Parliament passed in the thirty first year of our Reign entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign entitled an Act for making more effectual provision for the Government of the said Province, it is among other things provided that no Member either of the Legislative Council or Assembly in either

of the Provinces of Upper and Lower Canada shall be permitted to sit or vote therein until he shall have taken and subscribed the oath therein set forth, either before the Governor or Lieut. Governor of such Province or Person administering the Government therein, or before some person or persons authorized by the said Governor or Lieut. Governor or other person as aforesaid.

Now therefore know ye, that we have constituted and authorized and by these presents do constitute and authorize you the said William Jarvis, John Small and Donald McLean, Esquires, to administer the oath in the above mentioned Act of Parliament set forth unto the Members of the House of Assembly of our said Province of Upper Canada conformably to the form mentioned therein and provided.

Witness His Excellency's, Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada this twenty seventh day of May in the year of our Lord One Thousand eight hundred and One, and in the forty first year of His Majesty's Reign.

(Signed) Peter Hunter,  
Lieut. Governor.

(Signed) W. Jarvis, Sec'y.

Office of Enrolments, Upper Canada, May 28th 1801.

#### RETURN OF MEMBERS.

Return of the names of the Members chosen to serve in the House of Assembly in the Provincial Parliament for this Province called to meet this day by virtue of Writs of Election issued by the order of His Excellency Peter Hunter, Esquire, Lieutenant Governor, bearing teste the ninth day of July last, as appears by the said Writs duly returned into this Office by the returning Officers of the several Counties and Ridings respectively as commanded.

Counties & Rdgs.	Ret'g. Offrs.	Representatives.
Glengarry and Prescott	Cornelius Munro	Alex'r Macdonell Angus Macdonell
Stormont and Russell	Jas. Anderson	Robt. I. D. Gray
Dundas	Cornelius Munro	Jacob Weager
Grenville	Thomas Fraser	Samuel Sherwood
Leeds	Jas. Brackenridge	William Buell
Frontenac	William Coffin	John Ferguson
Prince Edward	Arch. McDonell	Ebenezer Washburn
Lennox and Addington	Alex'r Fisher	Timothy Thompson
Hastings and Northumberland	Jno. Blecker	David M. Rogers
Durham, Simcoe & East Rd'g. York	Will'm Chewett	Henry Allcock



Counties & Rdgs.	Ret'g. Offrs.	Representatives.
West York, 1st R'dg. Lincoln & Haldimand	Abr'm Nelles	Robert Nelles Rich'd Beasley
2nd 3rd & 4th Riding Lincoln Norfolk, Oxford & Middlesex	Jas. Clark, Sen.	Ralph Clench Isaac Swayzie
Kent	Thos. Welsh	Hon. D. W. Smith
Essex	Abraham Tredell	Thomas McCrae
	Angus McIntosh	Matthew Elliott Thomas McKee.
To Donald McLean, Esq., Clerk of the House of Assembly of the Province of Upper Canada.		(Signed) William Jarvis, Keeper of the Rolls.

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### HOUSE OF ASSEMBLY.

Upper Canada,  
Thursday 28th. May 1801.

At the first session of the third Parliament of Upper Canada, begun and held in the Town of York on Thursday the twenty eighth day of May in the forty-first year of the Reign of Our Sovereign Lord George by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith and so forth, and in the year of Our Lord one thousand eight hundred and one.

His Excellency the Lieutenant Governor having by the Proclamation hereunto annexed dated at York the seventh day of July 1800 dissolved the last Provincial Parliament, and by his Writs of Summons issued under the Great Seal of the Province bearing teste at York the ninth day of July 1800 called a new Provincial Parliament and appointed the same to meet and sit on the fourteenth day of August next ensuing, and having prorogued the same from time to time until this day, William Jarvis, John Small and Donald McLean, Esquires, Commissioners appointed by Dedimus Potestatem for administering the oath to the Members of the House of Assembly of the said Province of Upper Canada came about nine o'clock in the forenoon into the House of Assembly of the said Province, where William Jarvis, Esquire, Keeper of the Rolls, delivered to Donald McLean, Esquire, Clerk of the Assembly, a list, of the names of such Members as had been returned to serve in this Provincial Parliament, a copy whereof is hereunto annexed, the Commissioner did administer the oath appointed to the Members who appeared, which being done, and the Members having subscribed the Rolls containing the oath they repaired to their seats in the House accordingly.

After which a Message was delivered by Mr. George Law, Gentleman Usher of the Black Rod.

Gentlemen,

His Excellency the Lieutenant Governor commands the Members of this Honorable House to attend his Excellency immediately in the Legislative Council Chamber.

Accordingly the Members went up to attend His Excellency where being The Honorable the Speaker of the Legislative Council said:

Gentlemen of the House of Assembly,

I have it in command from His Excellency the Lieutenant Governor to signify to you that it is His Will and pleasure that you do return to the House to which you belong and there to elect one of your number to be Your Speaker, whom you shall present for the approbation of His Excellency at the Bar of this House to-morrow at twelve o'clock.

And the Members being returned Prayers were read.

David M. Rogers, Esq., Knight, representing the Counties of Northumberland and Hastings stood up, and addressing himself to the Clerk, who standing up pointed to him and then sat down, proposed to the House for their Speaker the Honorable D. W. Smith, Esquire, one of the Judges of the Court of King's Bench, Knight representing the Counties of Durham, Simcoe, and East Riding of York.

The House divided upon the question and the names were taken down as follows:

YEAS.

NAYS.

MESSRS. SAMUEL SHERWOOD  
MATTHEW ELLIOTT  
MR. JUSTICE ALLCOCK  
ROBERT NELLES  
THOMAS McCRAE  
ISAAC SWAYZIE  
JACOB WEAGER  
WILLIAM BUELL  
RICHARD BEASLEY  
DAVID M. ROGERS

MR. SOL'R. GENERAL  
MR SHERIFF MACDONELL  
RALPH CLENCH, ESQ.

The Clerk having declared the Honorable D. W. Smith, Esquire, duly elected by a majority of seven, he was led to the Chair by Mr. Rogers and Mr. Justice Allcock. After the Speaker had been led to the Chair he addressed the House as follows:

Gentlemen of the House of Assembly:—

I feel much gratified for the honor you have conferred on me by replacing me in this Chair, and I shall strenuously endeavour to merit the continuance of your good opinion.

And thereupon he sat down in the Chair.

Then the Mace, which before laid under the Table, was laid upon the Table.

Isaac Swayzie, Esquire, addressing himself to Mr. Speaker elect, then moved that this House do adjourn till to-morrow morning at eleven o'clock.

And then the House adjourned till eleven o'clock to-morrow morning.

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*Friday 29th. May 1801.*

Prayers were read.

The House being met, and Mr. Speaker having taken the Chair,

A Message was delivered by Mr. George Law, Usher of the Black Rod.

Mr. Speaker:—

It is His Excellency the Lieutenant Governor's pleasure that this Honorable House do immediately attend His Excellency in the Legislative Council Chamber.

Then Mr. Speaker elect with the House went up to the Council Chamber.

And then the Honorable, the Speaker of the Legislative Council, asked if they had chosen their Speaker.

Then the Honorable D. W. Smith, Esquire, was presented as their Speaker Elect.

Then the Honorable the Speaker of the Legislative Council said,

The Lieutenant Governor commands me to say that he is perfectly satisfied with the choice of the Assembly, and doth allow and confirm Mr. Smith to be its Speaker.

Then Mr. Speaker addressed himself as follows

May it please Your Excellency:—

The honor which the House of Assembly have conferred upon me in choosing me a second time as their Speaker is as great as the important duties of the Office are above my abilities

My zeal, however ardent, not sufficiently compensating for my incapacity I most respectfully implore the excuse and commands of Your Excellency.

I most humbly claim, in the name of the Assembly the freedom of speech and generally all the like privileges and liberties as are enjoyed by the Commons of Great Britain our Mother Country.

Then the Honorable the Speaker of the Legislative Council said:—

The Lieutenant Governor commands me to assure the Assembly that it may depend on the unlimited enjoyment of all its just privileges.

And then Mr. Speaker further claimed that the proceedings of the Representatives may receive the most favorable construction, and that whatever the Speaker shall say, which may be taken in evil part, may be imputed to his ignorance, and not unto the Assembly, that he may resort again to their House for declaration of their true intent, and that his error may be pardoned.

Then the Honorable the Speaker of the Legislative Council said:—

Mr. Speaker:—

The Lieutenant Governor directs me to assure the Assembly that he will always be disposed to put the most favorable construction on every proceeding and word, both of the House and its Speaker.

Then Mr. Speaker said that as often as necessary for His Majesty's service and the good of the Commonwealth shall require the House of Assembly may have access to the person of His Majesty's Representative in this Province.

Then the Honorable the Speaker of the Legislative Council said:—

Mr. Speaker:—

The Lieutenant Governor commands me to say that the Assembly may always depend on having access to his person at reasonable hours.

The House being returned the Speaker reported that the House had been in the Legislative Council Chamber, where his Excellency had been pleased to approve the choice the House had made of him to be their Speaker, and that he had in their name and on their behalf, by humble petition to His Excellency, laid claim to all their righteous privileges, that they may enjoy freedom of speech in their debates, and have access to His Excellency's person as occasion shall require, and that all



their proceedings may receive from His Excellency the most favourable construction; which he said His Excellency had confirmed to them by granting and allowing their privileges in as ample a manner as ever they were granted and allowed.

Then Mr. Speaker did again return his humble thanks to the House for the very great honor they had now done him, and did assure them of a continuance of his fidelity in their service, humbly requesting their protection and assistance to him in the discharge of his great trust, and of their indulgence to him in the pardon of his failings and imperfections in it.

Mr. Speaker further reported that when the House attended His Excellency this day in the Legislative Council Chamber, His Excellency was pleased to make a Speech to the Houses of Provincial Parliament of which the Speaker said he had, to prevent mistakes, procured a copy, which he read to the House, and is as here followeth, videlicet.

Honorable Gentlemen of the Legislative Council and Gentlemen of the Assembly:—

The wisdom of those who framed the Constitution of this Province is in nothing more manifest than in the care which has been taken that the Legislature shall meet as frequently as it is probable that subjects worthy of its consideration will occur.

Two subjects call at this moment for your most serious attention.

The first is the formation of a plan for the improvement of our Revenue upon the basis of the agreement made by the Commissioners appointed by me under the authority of an Act of the last session to treat on the part of this Province with Commissioners on the part of Lower Canada. The terms of that agreement, copies of which I have directed to be laid before you, appear to be as consistent with the real interests of the two provinces, considered as branches of the Empire, as they are equitable between the Provinces themselves, and I trust that you will lose no time in digesting a plan equally convenient and effectual for carrying them into effect.

The other subject to which I wish to draw your attention is the offering such encouragement as you may think necessary or proper for the culture of hemp. The present circumstances render that article an object of the highest importance in Europe, and there can be no doubt that if the soil and climate of this Province are favorable to the growth of it it will amply reward every degree of labour and expense that may be bestowed on it. How far nature, which has been so bountiful to us in other respects, has favored us in this, you are better able to determine than I am; but I hope that nothing will be wanting on your part as nothing shall on mine, to secure to the province the source of wealth which the success of the experiment will open to it.

Gentlemen of the House of Assembly:—

I have directed the usual accounts to be laid before you,—you will regret with me that our expectations of an increase in our revenue from the articles which pass the Coteau du Lac have not been realized, and that the importation of some of those articles has considerably diminished. Whether this circumstance arises from a diminution in the consumption, or whether the demand for them be supplied through another channel, it is a subject that demands the most serious consideration, and I cannot help adding to it that the increase in our Internal Revenue seems to by no means keep pace with the increase in our numbers and the improvement of the country. To inquire into the same and suggest a remedy for the evil is equally worthy of the attention of the Legislature.

Hon. Gentlemen—and Gentlemen:—

It is with the sincerest pleasure that I announce to you an event of the utmost importance which has lately taken place in Europe. I mean the Union of the Kingdoms of Great Britain and Ireland. The British Nations are now entirely consolidated, and all that seemed wanting to make them all that they are capable of being is attained. Everything that was partial, everything that was local, everything that could recall the recollection that those whom nature intended to be one were distinct is done away, and the most intimate union is established on the justest and most liberal principles. Our strength is increased by being brought to a center. Our resources are enlarged by the unreserved communication of every advantage. Nor is it to be doubted that under the auspices of the August and enlightened Prince whose wisdom projected and whose perseverance has accomplished this great event, effects the most beneficial will soon be felt, which after diffusing wealth and power and happiness over the now United Kingdoms will gradually spread themselves through the remotest branches of the Empire.

Mr. Speaker Macdonell and David M. Rogers, Esquire, introduced Angus Macdonell, Esquire, Knight, one of the Representatives of the County of Gengarry and Prescott, John Ferguson, Esquire, Knight, Representative of the County of Frontenac, Timothy Thompson, Esquire, Knight, representative of the Counties of Lennox and Addington, and Ebenezer Washburn, Esquire, Knight, Representative of the County of Prince Edward, who having been certified to to the House of their having previously taken the oath required by the Statute, repaired to their seats in the House.

Mr. Sherwood, seconded by Mr. French, moved that a Committee be appointed to prepare an Address to His Excellency the Lieutenant Governor in answer to his Speech, which motion passed unanimously in the affirmative.

Mr. Rogers moved, seconded by Mr. Swayzie, for leave to bring up a petition from sundry Freeholders of the Counties of Durham, Simcoe, and East Riding of York, and leave was granted, and the same having been brought up was ordered to lie on the Table.

Mr. Sherwood moved, seconded by Mr. Angus Macdonell, that Messrs. Ferguson, Rogers, Beasley, Sheriff Macdonell and Clench be appointed a Committee to draw the Address in answer to His Excellency the Lieutenant Governor's Speech.

The question having thereon been put, was carried unanimously in the affirmative.

And then on motion of Mr. Beasley, seconded by Mr. Swayzie, the House adjourned.

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*Saturday 30th. May 1801.*

Prayers were read.

Mr. Speaker submitted to the House that for the reasons which he had stated it might be proper to postpone the reading of the minutes of the journals of the proceedings of the two preceding days until Monday next.

And the House unanimously concurring with Mr. Speaker it was ordered accordingly.

On motion of Mr. Justice Allcock, seconded by Mr. Solicitor General,

Ordered, That the Commission of Donald McLean, Esq., as Clerk of this House be now read for the information of the Members who have not been present at the former reading thereof. The same was accordingly produced and read in the following words.

Peter Hunter, Esquire, Lieutenant Governor of His Majesty's Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada.

To all to whom these presents shall come,  
Greeting,

Know ye that being well assured of the loyalty, prudence, and integrity of Donald McLean, Esq., of York, in the Home District, I have constituted and appointed, and do by these presents constitute and appoint him, the said Donald McLean, to be Clerk of the Commons House of Assembly of the said Province of Upper Canada. To have, hold and execute and enjoy the said office of the Clerk of the Commons House of Assembly aforesaid unto him the said Donald McLean during pleasure, together with all, and singular the rights, profits, privileges and emoluments under the said office belonging.

Given under my hand and Seal at arms at  
Quebec the twelfth day of March, in the year  
of Our Lord One thousand eight hundred and one  
and of His Majesty's Reign the forty first.

(Signed) P. Hunter,  
Lieut. Gov.

By His Excellency's Command.

(Signed) William Jarvis, Secretary.

Mr. Ferguson, from the Committee appointed to draw up an Address of thanks to His Excellency the Lieutenant Governor for his Speech to both Houses on opening the present session, reported, That the Committee had prepared an Address which he was directed to submit to the House whenever it should be pleased to receive the same.

Ordered, That the Report be now received.

Which Report was accepted, and Mr. Speaker having read the said draught the House unanimously agreed thereto.

The said Address is as follows,

To His Excellency Peter Hunter, Esq., Lieutenant Governor of His Majesty's Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada.

May it please Your Excellency:—

We His Majesty's dutiful and loyal subjects the Representatives of the Commons of Upper Canada in Parliament assembled, return our sincere thanks for Your Excellency's Speech.

We cease not to feel and shall embrace every opportunity of expressing our gratitude for that liberal sentiment of legislative policy manifested by the Mother Country on having provided us with the constitutional means of resorting annually to the wisdom of a Provincial Parliament.

We are happy to understand that the Commissioners on the part of our Sister Province (Lower Canada) have concurred with those appointed by Your Excellency in behalf of this Province in adjusting the dividends of the collective



revenue to be applied to the uses of the two Provinces respectively upon principles of equity, being convinced that no system can derive permanent stability from any other source than natural justice. And we doubt not but that Provincial agreement entered into in the present instance will meet our approbation and support. At the same time we are happy to observe that our dependence on external markets diminishes as it evinces the general exertions made to supply our wants by our increasing manufactories at home.

We anticipate with eagerness the advantages which may result to this Province from the culture of hemp, and receive with gratitude the assurances of Your Excellency to promote the success of experiments to open a source of wealth to the Province by its means, and we hope that thereby a solid foundation will be laid without the aid of Parliament, which shall not be wanting on our part if ultimately necessary.

We shall bestow due attention upon the investigation of the Provincial Treasurer's Accounts when submitted to our consideration.

And we truly rejoice with Your Excellency in the happy issue of His Majesty's paternal endeavour for concentrating the energy of his Empire by the late Act of Union which has cemented into one his Kingdoms of Great Britain and Ireland.

On motion of Mr. Rogers, seconded by Mr. Swayzie,

Ordered, That the said Address be engrossed, and that Messrs. Clench, Ferguson and Thompson be a Committee to wait upon His Excellency the Lieutenant Governor to know when he will be pleased to receive this House with the same.

Mr. Rogers, seconded by Mr. Clench, moved That this House resolve itself into a Committee to inquire and report upon the usages of Parliament with respect to the appointment and removal of their officers.

And the question having thereon been put the same passed in the negative.

Mr. Rogers, seconded by Mr. Beasley, moved for leave to bring in a Bill on Friday next to alter the times of holding the District Courts, and the general Quarter Sessions of the Peace for the District of London, and begs leave to present the petition from the Magistrates and Grand Jury of that District relative thereto.

And leave was given accordingly.

Mr. Sherwood, seconded by Mr. Swayzie, moved for leave to bring in a Bill to extend the jurisdiction and regulate the proceedings of the District Court and Court of Requests.

And leave was granted.

Mr. Sherwood, seconded by Mr. Swayzie, moved for leave to bring in a Bill on Monday next to repeal an Act passed in the last sessions of the last Provincial Parliament, entitled "An Act for the summary conviction of persons selling spirituous liquors by retail without a license."

Leave was then granted.

Mr. Clench, seconded by Mr. Rogers, moved that the rule for clearing this House when required by a Member be discharged.

And then the question having been put thereupon, a division took place, and the names were taken down and are as follows:

## YEAS

Messrs. CLENCH  
ROGERS  
SWAYZIE  
FERGUSON  
SHERWOOD

## NAYS

Capt. ELLIOTT  
Messrs. THOMPSON  
BUELL  
MR. SOL'R GENERAL  
BEASLEY  
WEAGER  
SHERIFF MACDONELL  
Mr. MACDONELL  
WASHBURN  
Mr. JUSTICE ALLCOCK  
McCRAE.

And the same passed in the negative by a majority of seven.

Mr. Swayzie, seconded by Mr. Beasley, moved that this House do adjourn till Monday next, and the House adjourned accordingly.

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*Monday 1st June, 1801.*

Prayers were read.

Mr. Clench reported that in obedience to the Order of the House the Messenger had waited upon His Excellency the Lieutenant Governor, to know his pleasure when he would receive this House with its Address and that His Excellency was pleased to appoint this day at eleven o'clock in the forenoon.

Mr. Speaker and the House went up at the hour appointed with the Address of this House to His Excellency the Lieutenant Governor, and being returned, Mr. Speaker reported that the House had attended His Excellency with their Address, to which His Excellency had been pleased to return the following answer.

Gentlemen,

Your readiness to promote such measures as I trust will prove equally advantageous to this Province and the Mother Country gives me the highest satisfaction.

I sincerely join with you in your congratulations on the happy union that is now established between the United Kingdoms of Great Britain and Ireland.

Mr. Rogers, seconded by Mr. Clench, moved for leave to bring in a Bill entitled "An Act to Repeal certain parts of an Act passed in the Fortieth year of His Majesty's Reign entitled "An Act for the more equal representation of the Commons of this Province in Parliament, and the better defining one qualification of electors' on to-morrow.

Leave was granted accordingly.

Mr. Speaker informed the House that application had been made to him by the Clerk as follows.

The Clerk of the House of Assembly has the honor of stating respectfully to Mr. Speaker, that the duties of his office require the means of preserving the papers and records of the Assemblies in such manner as may be most conducive to their security and proper arrangement, that boxes, desks, and tables, are articles of absolute and immediate necessity, and of which the office is at present wholly destitute.

DONALD McLEAN,

Clerk of Assembly.

YORK, 1st June, 1801.

Which was ordered to lie on the Table.

And then Mr. Rogers moved, seconded by Mr. Clench,

That the Speaker of this House be requested to order all such articles as he shall judge necessary to be furnished to this House, and that the House will take measures to provide for payment of the same.

The same was ordered accordingly.

Agreeable to the Order of the Day the Petition of Samuel Heron, Archibald Cameron, Elisha Beman, and sundry other freeholders of the Counties of Durham, Simcoe, and East Riding of York, setting forth the illegality of the election and return of Henry Allcock, Esquire, as member to represent the said Counties and Riding, was read by the Clerk at the Table and is as follows:

To the Honorable the Representatives of the Commons of  
Upper Canada in Parliament assembled.

The Petition of the undersigned Freeholders of the East Riding of the Counties of York and Counties of Durham and Simcoe.

Humbly sheweth,

That Your Petitioners firmly attached to in all its parts the valuable constitution bestowed upon this Province by the Mother Country, sincerely lament the early necessity of complaining to your Honorable House against an infringement of it, meditated by a few individuals, and partly perfected by their artifices, immediately tending to destroy its first principle, Parliamentary Representation, by attempting to impose upon you as a Member of Your Honorable Body, and upon your Petitioners, as their Representatives therein, a gentleman of acknowledged respectability, but not chosen by Your Petitioners, nor by the majority of their fellow electors to represent them in Parliament.

That Your Petitioners humbly declare their readiness to prove to the satisfaction of Your Honorable House, or any Committee thereof, if heard by their Counsel on the subject, and permitted to give evidence thereof, that Henry Allcock, Esquire, has been improperly, untruly, and unjustly returned, as duly chosen to represent in Parliament the East Riding of the County of York and the Counties of Durham and Simcoe, and that the representation of the said Counties is at present altogether vacant.

Whereof Your Petitioners humbly pray to be heard in these premises and that the said Henry Allcock, Esquire, be not permitted to sit or vote as their representative, but that it may please Your Honorable House to order a new writ to issue for the return of a Member to represent the said Riding and Counties.

And as in duty bound your Petitioners will ever pray.

YORK, 1st May 1801.

And then Mr. Sherwood, seconded by Mr. Sheriff Macdonell, moved that this House resolve itself into a Committee to take into their consideration a rule proper to be adopted with regard to contested or disputed elections.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Capt. Elliott took the Chair.

Mr. Speaker resumed the Chair.



And Capt. Elliott reported that the Committee had made some progress, and had directed him to move for leave to sit again to-morrow.

Read the first time, a Bill entitled "An Act to repeal an Act passed in the Fortieth year of His Majesty's Reign entitled "An Act for the summary conviction of persons selling spirituous liquors without license."

Then, on Motion of Mr. Sherwood, seconded by Mr. Swayzie,

Ordered, That the said Bill be read a second time to-morrow.

On the motion of Mr. Rogers, seconded by Mr. Clench, the House adjourned.

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*Tuesday 2nd June 1801.*

Prayers were read.

Mr. McCrea, seconded by Mr. Swayzie, moved for leave to bring in on Monday next a Bill to ascertain and establish the said lines of the lots in certain townships on the River Thames.

Leave was accordingly granted.

Mr. McCrea, seconded by Mr. Swayzie, moved for leave to bring in on Monday next a Bill to provide for the erecting of certain bridges in the County of Kent, Western District.

Then Leave was granted.

Mr. McCrea, seconded by Mr. Swayzie, moved for leave to bring in on Saturday next a Bill for dividing the Township of Sandwich into divisions and for the better regulation of the by-laws thereof.

And then leave was granted.

Mr. McCrea, seconded by Mr. Swayzie, moved for leave to bring in on Monday next a Bill for holding Courts of General Sessions of the Peace in the Town of Chatham, and for attending the sittings of the District Courts of that place also.

Whereupon leave was granted.

The Order of the Day for the second reading of the Bill entitled "An Act to repeal an Act passed in the fortieth year of His Majesty's Reign entitled "an Act for the summary conviction of persons selling spirituous liquors without license."

And the said Bill was read a second time.

On motion of Mr. Sherwood, seconded by Mr. A. Macdonell,

Resolved, That the House do now resolve itself into a Committee of the Whole upon the said Bill.

And the House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Washburn took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Washburn reported that the Committee had gone through the said Bill and was ordered to report that it is the opinion of this Committee that the further consideration of this Bill be postponed for three months.

It was accordingly so ordered.

Mr. Secretary Jarvis attended this House by order of His Excellency the Lieutenant Governor, and presented sundry Public Accounts and papers, which were ordered to lie on the Table.

Read the first time, A Bill for the more equal representation of the Commons of this Province in Parliament, and for the better defining the qualification of Electors.

Ordered, That the said Bill be read a second time to-morrow.

The House pursuant to leave given again resolved itself into a Committee to resume the further consideration of a Rule proper to be adopted with regard to contested Elections.

Mr. Speaker left the Chair.

Capt. Elliott took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Capt. Elliott reported that the Committee had made some progress and had directed him to ask for leave to sit again.

And then, on motion of Mr. Beasley, seconded by Mr. Swayzie, the House adjourned.

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*Wednesday 3rd June 1801.*

Prayers were read.

Mr. Sheriff Macdonell, seconded by Mr. A. Macdonell, moved for the Order of the Day.

On which an Act to repeal certain parts of an Act passed in the fortieth year of His Majesty's Reign, entitled "An Act for the more equal representation of the Commons of this Province in Parliament and for the better defining the qualifications of Electors" was read a second time.

On the motion of Mr. Rogers, seconded by Mr. Clench, The House resolved itself into a Committee of the Whole upon the said Bill.

Mr. Speaker left the Chair.

Mr. Swayzie took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported that the Committee had gone through the consideration of the said Bill and had directed him to report that it was their opinion that the further consideration thereof be postponed for three months.

Mr. Rogers moved, seconded by Mr. Clench, that this House do not concur in the Report of the Committee.

Whereupon the House divided, and the names were taken down as follows.

YEAS

MESSRS ROGERS  
BEASLEY  
CLENCH  
SWAYZIE

NAYS

MR. SHERIFF MACDONELL  
MESSRS WASHBURN  
FERGUSON  
ELLIOTT  
SOL'R GENERAL  
McCRAE  
NELLES  
THOMPSON

So it was carried in the negative by a majority of five.  
And the Report was accepted and ordered accordingly.

And then the House by leave given resolved itself into a Committee to take into their further consideration a proper rule to be adopted with regard to contested or disputed Elections.

Mr. Speaker left the Chair.

Capt. Elliott took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Capt. Elliott reported that it be a rule proper to be adopted with regard to contested or disputed Elections, that all petitions complaining of undue Elections be referred to a Committee of the Whole House.

Secondly, that it be another rule that the House do appoint the time for hearing the petitions and that the Speaker do give notice of the time to the parties.

Which Report was accepted.

Then, Mr. Rogers, moved, seconded by Mr. Clench, that next Wednesday be appointed to hear the Petition of the Freeholders of the East Riding of the County of York, and Counties of Durham and Simcoe.

It was accordingly so ordered.

The papers and accounts delivered yesterday to Mr. Speaker were read by the Clerk, and ordered to lie on the Table.

On the motion of Mr. Rogers, seconded by Mr. Clench,

Ordered, That Mr. Ferguson, Mr. Solicitor General, Mr. Sheriff Macdonell, Messrs. Thompson and Sherwood be a Committee to report the draught of a Bill for ratifying, approving, and confirming the Articles of Provisional Agreement entered into between the Commissioners on the part of this Province of Lower Canada, dated the second day of February one thousand eight hundred and one.

On the motion of Mr. Beasley, seconded by Mr. Sherwood, the House adjourned until Friday next.

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*Friday, 5th June 1801.*

Prayers were read.

As was the Petition of several Inhabitants of the District of London, and is as follows.

To the Honorable the Legislative Council and Assembly of the Province of Upper Canada in Provincial Parliament assembled.

The Petition of the undersigned Inhabitants of the District of London in the said Province

Most Humbly Sheweth,

That Your Petitioners are much at a loss, and often suffer great inconvenience arising from the Court of the said District and the General Quarter Sessions of the Peace being holden at the same time with those of the other Districts from the want of professional men to assist them in those cases wherein their assistance is absolutely necessary.

Your Petitioners therefore most humbly pray that you would be pleased to enact that the times for holding the said Courts may be altered, and that at such a distance from the times of the others as may enable them to procure the assist-



ance wanted, and that the said District Court may be put upon as liberal a footing as the nature thereof can possibly admit.

And Your Petitioners as in duty bound will ever pray.

Charlottetown, 14th April 1801.

The Order of the Day being read, Mr. Rogers brought in a Bill to alter the times of holding the District Courts and the General Quarter Sessions of the Peace for the District of London, which was read the first time.

And then, on the motion of Mr. Rogers, seconded by Mr. Clench,

Ordered, That the said Bill be read a second time to-morrow.

Mr. Speaker submitted to the consideration of the House an estimate of such articles as are immediately and absolutely wanted for the use of this House, pursuant to the resolve of this House on the first of June.

Which being read was ordered to lie upon the Table.

By order of His Excellency the Lieutenant Governor, Peter Russell, Esquire, Provincial Treasurer, transmitted his General Account Current to this House for the last year between the 7th June 1800 and the 27th May 1801 inclusive.

Which was read and ordered to lie upon the Table.

Mr. Sherwood, seconded by Mr. Swayzie, moved that an humble Address be presented to His Excellency the Lieutenant Governor that the proper officers may be directed to lay before the House an account of duties which may have arisen from Licenses to Innkeepers, Shopkeepers, and Distillers for the year 1800 and all such papers as may be necessary to explain the accounts.

Which was unanimously agreed to.

And then Mr. Angus Macdonell, seconded by Mr. Clench, moved for leave to bring in on Monday next a Bill to explain and amend certain parts of an Act passed in the Fifth year of the Reign of His late Majesty King George the Second, entitled "An Act for the more easy collection of debts in His Majesty's Colonies and Plantations in North America."

Leave was granted accordingly.

Mr. Swayzie, seconded by Mr. Washburn, moved that the House do now adjourn.

On the question being thereon put a division took place, and the names were taken down, and were as follows.

#### YEAS

MR. SWAYZIE  
WASHBURN  
CLENCH

#### NAYS

MR. JUSTICE ALLCOCK  
SHERWOOD  
MACDONELL  
FERGUSON  
SHERIFF MACDONELL  
ELLIOTT  
THOMPSON  
ROGERS  
SOLICITOR GENERAL  
NELLES  
BUELL  
McCRAE  
BEASLEY

The same passed in the negative by a majority of ten.

Then Mr. Ferguson moved that Mr. Clench, Mr. McCrae and Capt. Elliott be a Committee to prepare an Humble Address to His Excellency the Lieutenant Governor.

Which was ordered unanimously.

Then Mr. Clench, from the Committee, submitted to this House the draught of an Address to His Excellency the Lieutenant Governor, which being read was approved of, and is as follows.

To His Excellency Peter Hunter, Lieutenant Governor of the  
Province of Upper Canada, and Lieut. General Commanding  
His Majesty's Forces in Upper and Lower Canada.

We His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada, in Parliament assembled

Respectfully pray that Your Excellency will be pleased to direct that the proper officers be ordered to lay before this House an account of such duties as have arisen upon Licenses to Inkeepers, Shopkeepers and Distillers for the year one thousand eight hundred, with all such papers as may be useful and necessary for explaining the same.

(Signed) D. W. SMITH,  
Speaker.

And then on motion of Mr. Thompson, seconded by Mr. Ferguson,  
Ordered, That Messrs. Rogers, Beasley and Clench do present the said Address to His Excellency the Lieutenant Governor.

And then on motion of Mr. Beasley, seconded by Mr. Swayzie,  
The House adjourned.

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*Saturday 6th June 1801.*

Prayers.

Mr. Washburn, seconded by Mr. Swayzie, moved that the Order of the Day for granting him leave to bring in a Bill on Saturday next, entitled "An Act to authorize the Lieutenant Governor or person administering the Government to appoint Inspectors of the produce that may be transferred out of this Province" this day be discharged, and leave given him to bring in the same on Tuesday next.

Leave was granted accordingly.

The Bill for the better division of the Township of Sandwich was read the first time.

Then Mr. Rogers reported that the Messengers had waited upon His Excellency the Lieutenant Governor, with the Address of this House of yesterday, and that His Excellency had been pleased to return for answer that he would comply with the wishes of the House.

Ordered, That the Bill to alter the times for holding the District Courts and the General Quarter Sessions of the Peace for the District of London be now read the second time.

And the said Bill was read the second time.

On motion of Mr. Rogers, seconded by Mr. Swayzie.

Resolved, That this House do now resolve itself into a Committee of the Whole House upon the said Bill.

Accordingly the House resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Swayzie took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Swayzie reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Resolved, That the said Committee have leave to sit again.

Mr. Justice Allcock, seconded by Mr. Swayzie, moved that this House do form itself into a Committee of the Whole House to consider whether any and what funds have by the laws of this Province been appropriated to the payment of the salaries of the Officers of the Legislative Council and Assembly, and the contingent expenses thereof.

And upon the question being put thereupon the House divided, and the names were taken down, and are as follows, videlicet.

Yeas.

Nays.

MR. JUSTICE ALLCOCK  
MESSRS. A. MACDONELL  
ROGERS  
SWAYZIE  
McCRAE  
FERGUSON  
ELLIOTT  
WASHBUHN

MR. SOLICITOR GENERAL  
MESSRS. THOMPSON  
CLENCH  
SHERIFF MACDONELL  
SHERWOOD  
NELLES  
BUELL

The same was carried in the affirmative by a majority of one.

Then the House resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Washburn took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Washburn left the Chair and reported, that it is the opinion of this Committee that the whole of the duties now arising from the licenses issued to Tavernkeepers, Shopkeepers and every other person whatsoever is by the law of this Province appropriated to the payment of the salaries of the Officers of the Legislative Council and Assembly, and the contingent expenses thereof.

Which Report was accepted.

On motion of Mr. McCrae, seconded by Mr. Swayzie, for leave to read the second time the Bill for the Township of Sandwich on Monday next,

Ordered, That the said Bill be read a second time on Monday next.

And then on motion of Mr. Clench, seconded by Mr. Rogers,

Ordered, That the names of the Members of this House be called over on Tuesday next.

On motion of Mr. Rogers, seconded by Mr. Swayzie, the House adjourned till Monday next.



*Monday, 8th June, 1801.*

Prayers were read.

Mr. McCrae, seconded by Mr. Swayzie, moved that the Order of the Day for granting him leave to bring in a Bill for holding Courts of General Sessions of the Peace in the Town of Chatham, and for extending the sitting of the District Court of that place, be discharged.

Ordered accordingly.

A Bill to provide for erecting certain bridges in the Western District was read the first time.

And on motion of Mr. McCrae, seconded by Mr. Beasley,

Ordered, That the said Bill be read a second time to-morrow.

And then a Bill for ascertaining the boundary lines on the River Thames was read a first time.

On motion of Mr. McCrae, seconded by Mr. Beasley,

Ordered, That the said Bill be read a second time to-morrow.

Then read the first time a Bill entitled "An Act for obviating a doubt which hath arisen concerning the remedies, process and proceedings established by law in this province against Houses, Lands, and other Hereditaments and Real Estates for the satisfaction of debts.

On the motion of Mr. Angus Macdonell, seconded by Mr. Sheriff Macdonell,

Ordered, That the said Bill be read a second time to-morrow.

According to the Order of the Day for the second reading of an Act for the better division of the Township of Sandwich.

The same was read a second time.

On motion of Mr. McCrae, seconded by Mr. Swayzie,

Resolved, That this House do now resolve itself into Committee of the Whole House upon the said Bill.

Thereupon the House resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Thompson took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported progress, and asked for leave to sit again on Thursday next.

And leave was granted accordingly.

By Command of His Excellency the Lieutenant Governor Peter Russell, Esquire, Receiver General, delivered to this House an account of duties, licenses, &c. which were read and ordered to lie on the Table.

Mr. Ferguson, seconded by Mr. Weager, moved for leave to bring in on Thursday next a Bill to improve the Commission of the Peace for the Midland District in their Court of General Quarter Sessions assembled and to establish and regulate a market in and for the town of Kingston.

And leave was granted.

Mr. Sherwood, seconded by Mr. Rogers, moved for leave to bring in to-morrow a Bill to fix the times for holding the Courts of General Quarter Sessions and the District Courts in the District of Johnstown.

Leave was granted accordingly.

Mr. Sheriff Macdonell, seconded by Mr. McCrae, moved for leave to bring in to-morrow a Bill to regulate the Statute Labor to be done upon the roads in the tract occupied by the Huron Indians in the County of Essex, Western District.

And leave was granted accordingly.

On motion of Mr. Beasley, seconded by Mr. Swayzie,

The House adjourned.

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*Tuesday 9th June 1801.*

Prayers were read.

Donald McLean, Esquire, one of the Commissioners appointed by Dedimus Potestatem to administer the Oath to the Members, informed Mr. Speaker that Thos. McKee, Esquire, Knight, one of the Representatives for the County of Essex, had taken the Oath prescribed by the Statute.

Mr. McKee was accordingly introduced by Mr. Sheriff Macdonell and Mr. Elliott, and took his seat in the House.

The Order of the Day for the call of the House being read.

Ordered, That the House be now called over.

And all the Members appeared.

Upon motion of Mr. Sherwood, seconded by Mr. Rogers,

Ordered, That the Order of the Day for bringing in a Bill to fix the times of Holding the Court of General Quarter Sessions in the District of Johnstown be discharged.

Ordered accordingly.

Mr. Washburn, seconded by Mr. Swayzie, moved that the Order of the Day for granting him leave to bring in a Bill this Day be discharged, and leave be given him to bring in the same on Thursday next.

Leave was accordingly granted.

A Bill to regulate the Statute Labour to be done upon the roads in the tract occupied by the Huron Indians, in the County of Essex, in the Western District, was read the first time.

And on motion of Mr. Sheriff Macdonell, seconded by Mr. Elliott,

Ordered that the said Bill be read a second time Thursday next.

A Bill to erect bridges in the Western District was read a second time.

On motion of Mr. McCrae, seconded by Mr. Ferguson,

The House resolved itself into a Committee on the said Bill

Mr. Speaker left the Chair.

Mr. Sherwood took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Sherwood reported from the Committee that it is their opinion that the further consideration of the Bill before them be postponed for three months.

Which report was accepted and ordered accordingly.

Then, the River Thames Boundary Bill was read a second time.

On motion of Mr. Macdonell, seconded by Mr. Sheriff Macdonell, the second reading of a Bill for obviating a doubt which hath arisen concerning the remedies, process and proceedings established by law in this Province, against Houses, Lands, and other Hereditaments and Real Estates for the satisfaction of debts, was postponed till Saturday next.

And on motion of Mr. Swayzie, seconded by Mr. Nelles,

The House adjourned.

*Wednesday 10th June 1801.*

Prayers were read.

The House according to the Order of the Day took up the consideration of the Petition of sundry Freeholders of the East Riding of the County of York, and the Counties of Durham and Simcoe.

On which the Clerk by order read the same at the Table, and three other papers relative thereto which are as follows.

Before the Honorable the Commons of Upper Canada in Parliament met.

Samuel Heron and others, Complainants,

against

The Honorable Henry Allcock, Esquire,

Returned to represent in Parliament the East Riding of the County of York, and Counties of Durham and Simcoe.

The Complainants pray that James McCauley, William Chewitt, William Jarvis, John Small and David Burns, Esquires, all of York, and Titus G. Simons and Thomas Ward of the same place, gentlemen, be commanded to attend at the Bar of this Honorable House on Wednesday next by the hour of ten o'clock in the forenoon, to testify the truth and render evidence in this controversy.

(Signed) A. McDONELL, Atty.

for Complainants of Council for the same.

York, 8th June, 1801.

To the Honorable

Mr. Speaker,

of the House of Assembly.

I do certify that I have examined the Petition of Samuel Heron and others now lying upon the Table of the Commons House of Assembly, and cannot find that the names of James McCauley, William Chewitt, William Jarvis, John Small, David Burns, Titus G. Simons and Thomas Ward are signed to the said Petition.

(Signed)

DONALD McLEAN,

Clerk to the Assembly.

Commons House of Assembly,

Monday 8th June 1801.

To Thomas Ridout, Esquire, Serjeant at Arms, or his Deputy or Deputies.

These are to authorize and require that you do forthwith summon and command James McCauley, William Chewitt, William Jarvis, John Small, and David Burns, all of the Town and Township of York, in the Home District, Esquires, Titus G. Simons and Thomas Ward of the same place, Gentlemen, to be and appear in their own proper persons at the Bar of this House on Wednesday, the tenth day of this present month, by the hour of ten o'clock in the forenoon of the same day to testify the truth and render evidence of and concerning a controversy subsisting



with respect to the election of the Honorable Henry Allcock, Esquire, returned to represent in Parliament the East Riding of the County of York, and the Counties of Durham and Simcoe and hereof fail not you, they, or any of them under the peril which may thereof ensue. And for so doing this shall be your sufficient warrant.

D. W. SMITH,  
Speaker.

Which were ordered to lie on the Table for the perusal of the Committee of the Whole House.

Mr. Rogers, seconded by Mr. Sherwood, moved that this House do now resolve itself into a Committee to take into their consideration the Petition of the Freeholders of the East Riding of the County of York, and Counties of Durham and Simcoe.

The House then resolved itself into a Committee of the Whole House on the said Petition.

Mr. Speaker left the Chair.

Mr. Macdonell took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Macdonell reported that it is the opinion of this Committee that resort ought to be had to the House whether the witnesses summoned to give evidence in this case ought or ought not to be sworn.

Resolved, on the motion of Mr. Sherwood, seconded by Mr. Clench, That it is the opinion of this House that the witnesses ought to be examined without being sworn.

And thereupon the House resolved itself again into Committee to resume the further consideration of the said Petition.

Mr. Speaker left the Chair.

Mr. Macdonell again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported that it is the opinion of the Committee that resort be had to the House whether the testimony of persons petitioning against the return of any sitting Member be competent to give their evidence or not.

Mr. Sherwood, seconded by Mr. Clench, moved that it is the opinion of this House that the Petitioners are competent evidence.

And the House resolved the same.

And then the House resolved itself again into Committee to go further into the merits of the aforesaid Petition.

Mr. Speaker left the Chair.

Mr. Macdonell took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported that the Committee had made some progress and directed him to ask leave to sit again to-morrow.

And leave was accordingly granted.

On the motion of Mr. Clench, seconded by Mr. Sherwood,

Resolved unanimously, That the Honorable Mr. Justice Allcock be requested to bring forward to-morrow such witnesses as he may be desirous of producing in support of his Election.

And thereupon Mr. Speaker by order of this House communicated the said resolution to Mr. Justice Allcock in his place.

Mr. Rogers, seconded by Mr. Clench, moved for leave to bring in to-morrow a Bill for the better paying the Wages of the Members of the House of Assembly.

Leave was given accordingly.

And then on the motion of Mr. Beasley, seconded by Mr. Swayzie,  
The House adjourned.

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*Thursday 11th June 1801.*

Prayers were read.

Agreeable to the Order of the Day the House resolved itself into a Committee of the Whole House to take into their further consideration the merits of the Petition of several of the Freeholders of the East Riding of the County of York, and Counties of Durham and Simcoe.

Mr. Speaker left the Chair.

Mr. Macdonell took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported that resort be had to the House to determine upon a further mode of proceeding.

Which Report was accepted by this House.

Thereupon the House resolved itself again into Committee to resume the further consideration of the said Petition.

Mr. Speaker left the Chair.

Mr. Macdonell took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported that it is the opinion of the Committee that Henry Allcock, Esquire, is not duly elected.

Which Report was accepted and approved by this House.

Read for the first time, an Act for the better paying the Wages to Members of the House of Assembly.

On motion of Mr. Rogers, seconded by Mr. Clench,

Ordered, That the said Bill be read a second time to-morrow.

An Act to empower the Commissioners of the Peace for the Midland District in their Court of General Quarter Sessions assembled to establish and regulate a market in and for the Town of Kingston was read the first time.

Mr. Ferguson, seconded by Mr. Elliott, moved for leave to read the said Bill a second time on Saturday next.

And leave was accordingly given.

Agreeable to the Order of the Day.

Read for the first time, an Act to authorize the Governor, Lieutenant-Governor or person administering the Government, to appoint Inspectors of Flour, Pot and Pearl Ashes within this Province.

Mr. Washburn, seconded by Mr. Beasley, moved that the said Bill be read a second time to-morrow.

And the same was ordered accordingly.

Agreeable to the Order of the Day,

Read for the first time, an Act to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province to appoint Inspectors of Flour, Pot and Pearl Ashes, within this Province.

Then the Bill to regulate the Statute labour to be done upon the roads in the tract occupied by the Huron Indians in the County of Essex, Western District, was read a second time.

On motion of Mr. Sheriff Macdonell, seconded by Capt. McKee,

Ordered, that this House do resolve itself into a Committee of the Whole House on the said Bill to-morrow.

The same was ordered accordingly.

Mr. Rogers, seconded by Mr. Clench, moved that the Speaker issue out a Warrant to the proper Officer for a Writ for a new election of a Member to serve for the East Riding of the County of York, and the Counties of Durham and Simcoe.

And the same was ordered accordingly.

Mr. Ferguson, seconded by Mr. McCrae, moved for leave to bring in on Tuesday next a Bill for laying the like duty on goods and merchandise brought into this Province from the United States of America as is now paid on goods and merchandise imported from Great Britain and other places.

And leave was granted accordingly.

On motion of Mr. Rogers, seconded by Mr. Sherwood,

The House adjourned.

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*Friday 12th June 1801.*

Prayers were read.

Mr. Speaker informed the House that in obedience to the order of yesterday he had issued his Warrant to the Secretary of the Province for the issuing forth of a new Writ to return a Member for the East Riding of the County of York, and the Counties of Durham and Simcoe.

According to the Order of the Day the House resolved itself into Committee to take into consideration the Bill for keeping in repair the road which passes through the country occupied by the Huron Indians in the County of Essex.

Mr. Speaker left the Chair.

Mr. Ferguson took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Ferguson reported that the Committee had gone through the consideration of the said Bill with amendments.

Which Report was accepted.

On motion of Mr. Sheriff Macdonell, seconded by Capt. McKee,

Ordered, That the said Bill as amended be engrossed, and read a third time on Monday next.

The Bill for the better paying Wages to the Members of the House of Assembly was read a second time.

Mr. Rogers moved, seconded by Mr. Clench, That this House do now resolve itself into Committee to consider of the said Bill.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Sheriff Macdonell reported that the Committee had gone through the consideration of the said Bill with some amendments.

Which report was accepted.



On the motion of Rogers, seconded by Mr. Clench,

Ordered, That the said Bill be engrossed and read a third time to-morrow.

The Bill to authorize the Lieutenant Governor or person administering the Government to appoint Inspectors of Flour, Pot and Pearl Ashes was read a second time.

On the motion of Mr. Washburn, seconded by Mr. Clench,

Ordered, That the said Bill be committed, and that the House do resolve itself into Committee on Monday next to go into the consideration of the same. Mr. Sherwood, seconded by Mr. Clench, moved for leave to bring in to-morrow a Bill to fix the times for holding the Courts of General Quarter Sessions of the Peace in the Districts of London, Niagara and Johnstown.

And leave was given accordingly.

Mr. Swayzie, seconded by Mr. Beasley, moved for leave to bring in on Monday next a Bill to provide for the maintenance of poor persons.

And leave was given accordingly.

William Jarvis, Esq., Secretary of this Province, by order of His Excellency the Lieutenant Governor, presented at the Bar a return of the number of Shop and Tavern licenses as have been issued in the several Districts of this province, also a return of Still licenses issued for the year ending 5th April, 1801.

Mr. Speaker informed the House that application had been made to him in writing by the Clerk of the House, and read the same in the following words.

The Clerk of the House of Assembly has the honor of submitting to the Honorable the Speaker, that from the multiplicity of business now before the House he has an immediate occasion for a copying clerk, and will probably be sometimes compelled to employ more than one; he therefore prays that he may receive the permission and sanction of the House for that purpose.

(Signed) DONALD MCLEAN,  
Clerk of Assembly.

York, 12th June 1801.

After which Mr. Ferguson, seconded by Mr. Solicitor General, moved that the Clerk of this House has the permission and sanction of this House to employ a copying clerk, and that he be directed to give in an estimate for that purpose.

And thereupon the House divided, and the names were taken down as follows.

Yeas.

CAPT. ELLIOTT  
CAPT. McKEE  
MESSRS. SOLICITOR GENERAL  
SHERIFF MACDONELL  
ROGERS  
MACDONELL  
FERGUSON  
McCRAE  
BEASLEY  
NELLES  
WEAGER  
WASHBURN  
BUELL

Nays.

MESSRS. CLENCH  
SWAYZIE

The question was therefore carried in the affirmative by a majority of eleven.

And permission was granted accordingly.

Mr. Washburn, seconded by Mr. Swayzie, moved for leave to bring in on Monday next a Bill for the better explaining of certain parts of an Act passed in the thirty fourth year of His Majesty's Reign entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and pigs to run at large."

And leave was granted accordingly.

Mr. Washburn, seconded by Mr. Swayzie, moved for leave to bring in on Monday next a Bill to repeal so much of an Act passed in the thirty sixth year of His Majesty's Reign, as obliged all licensed Houses within this Province to pay an equal price for said license, and to make further provision for the same.

And the question having been thereupon put the same passed in the negative.

On motion of Mr. Nelles, seconded by Mr. Swayzie

The House adjourned.

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*Saturday 13th June 1801.*

Prayers were read.

Agreeable to the Order of the Day was read a second time an Act to empower the Commissioners of the Peace for the Midland District, in their Court of General Sessions assembled, to establish and regulate a market in and for the town of Kingston.

On motion of Mr. Ferguson, seconded by Mr. Elliott.

Ordered, That this House do now resolve itself into Committee to consider the said Bill.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Clench was called to the Chair of the Committee.

On notice of the Black Rod being at the Door

Mr. Speaker resumed the Chair.

And Mr. Clench reported that the Committee had made a progress, and asked for leave to sit again this day.

Which Report was accepted, and leave was given accordingly.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery, to request the concurrence of this House in passing a Bill sent down for that purpose, entitled "An Act to enable Femmes Covert having real estate or interest in real estate more conveniently to aliene the same."

And then withdrew.

Which Bill was read the first time.

On motion of Mr. Solicitor General, seconded by Mr. Sherwood,

Ordered, That the said Bill be read a second time on Monday next.

And then Mr. Speaker left the Chair.

And Mr. Clench again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Clench reported that the Committee had gone through the consideration of the Bill to empower the Commissioners of the Peace to regulate a market in and for the town of Kingston with amendments.

Mr. Clench, seconded by Mr. Swayzie, moved that the said Report be not accepted.

Which motion was carried in the negative.

And then the Report was accordingly accepted.

On motion of Mr. Ferguson, seconded by Mr. Elliott, read a third time on Wednesday next.

A Bill entitled "An Act to fix the time for holding the Courts of General Quarter Sessions in the Districts of Niagara, London and Johnstown" was read the first time.

On motion of Mr. Sherwood, seconded by Mr. Swayzie,

Ordered, that the said Bill be read a second time on Monday next.

Agreeable to the Order of the Day was read a second time a Bill for obviating a doubt which hath arisen concerning the remedies, process and proceedings established by law in this Province against Houses, Lands, and other Hereditaments and Real Estates for the satisfaction of debts.

On motion of Mr. Macdonell, seconded by Mr. Swayzie.

Ordered, That this House do resolve itself into Committee on Wednesday next to take into their consideration the aforesaid Bill.

And it was ordered accordingly.

An engrossed Bill for the better paying the Wages of the Members of the House of Assembly was read for the third time.

Mr. Speaker put the question, shall this Bill pass,

And on motion of Mr. Sherwood, seconded by Mr. Swayzie,

Resolved, That this Bill do now pass, and that the title be "An Act for the better paying of the Wages of the Members of the House of Assembly."

Mr. Rogers moved, seconded by Mr. Ferguson, That Mr. Beasley, Mr. Sherwood, and Mr. Clench be a Committee to carry up this Bill to the Legislative Council and to request their concurrence therein.

Ordered accordingly.

Mr. Sherwood, seconded by Mr. Beasley, moved for leave to bring in on Monday next a Bill to extend the jurisdiction of the General District Courts throughout this Province.

And leave was accordingly given.

On motion of Mr. Rogers, seconded by Mr. Swayzie,

Ordered, That this House do now resolve itself into a Committee on the Bill to ascertain and establish the side lines of the lots in certain Townships on the River Thames.

Mr. Speaker left the Chair.

Mr. Beasley was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Beasley reported progress and asked for leave to sit again.

And leave was accordingly granted.

On motion of Capt. Elliott, seconded by Capt. Ferguson,

The House adjourned until Monday next.

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*Monday, 15th June 1801.*

Prayers were read.

Mr. Swayzie moved, seconded by Mr. Clench, that the Order of the Day for leave to bring in a Bill to provide for the maintenance of poor persons be discharged, and leave given him to bring in the same on Thursday next.



And leave was granted accordingly.

The Order of the Day for the first reading of a Bill for the better explaining certain parts of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large" was discharged.

Read for the first time, an Act to extend the jurisdiction of the several District Courts throughout this Province, and to amend the same.

On motion of Mr. Sherwood, seconded by Mr. Clench,

Ordered, That the said Bill be read a second time to-morrow.

The Order of the Day for the House to resolve itself into a Committee of the whole House on the Bill authorizing the Governor, Lieutenant Governor, or person administering the government to appoint inspectors of flour, pot and pearl ashes within this Province.

The House resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Solicitor General was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Solicitor General reported that the Committee had gone through the Bill, and had made some amendments thereto which he was directed to report.

And Mr. Speaker having put the question, shall the Report be now received, It was received unanimously.

On motion of Mr. Rogers, seconded by Mr. Washburn,

Ordered, That the said Bill be engrossed and read a third time to-morrow.

Read a second time, An Act to fix the times for holding the Courts of General Quarter Sessions in the Districts of Niagara, London and Johnstown.

On motion of Mr. Rogers,

Ordered, That the House do now resolve itself into a Committee to take into consideration the said Bill.

And the House resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Ferguson reported a progress, and asked for leave to sit again this day.

And leave was accordingly given.

The engrossed Bill to regulate the Statute Labour to be done upon the roads in the tract occupied by the Huron Indians in the County of Essex Western District was read for the third time.

And Mr. Speaker having put the question, shall the Bill pass,

The same passed accordingly, and was signed by Mr. Speaker.

And Ordered, That Mr. Rogers, Captains McKee and Elliott do carry up this Bill to the Legislative Council and request their concurrence.

Mr. Beasley, one of the Committee appointed to carry up to the Legislative Council the Bill for the payment of wages to the Members of the House of Assembly, reported that they had carried up the said Bill.

Mr. Speaker left the Chair.

And Mr. Ferguson again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Ferguson reported that the Committee had gone through the Bill and made some amendments thereto, which he was directed to report to the House whenever it would be pleased to receive the same.

Ordered, That the said Report be now received.

Mr. Rogers then moved, seconded by Mr. Sherwood, That the said Bill be engrossed and read a third time to-morrow, and that the title be "An Act to fix the times for holding the Courts of Quarter Sessions in the Districts of Niagara, London and Johnstown."

Read a second time, a Bill from the Legislative Council.

On motion of Mr. Solicitor General, seconded by Mr. Thompson, The House resolved itself into Committee.

Mr. Speaker left the Chair.

And Mr. Nelles was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Nelles reported that the Committee had gone through the consideration of the said Bill without any amendments.

Ordered, That the said Bill be read a third time to-morrow.

The Clerk reported to the Honorable Mr. Speaker of this House in obedience to their order of the 12th instant, which report was read and ordered to lie upon the Table, and is in the following words,

The Clerk has the honor of informing the Honorable Speaker that in obedience to the order of the House of Assembly of the 12th. instant he has made it his business to inquire for copying clerks, and such as are to be had ask him seven shillings and sixpence to ten shillings currency per diem when employed.

(Signed) Donald McLean,  
Clerk Ass'y.

York, 15th June 1801.

Capt. McKee moved, seconded by Mr. Rogers, for leave to bring in on Wednesday next a Bill to prevent the selling of spirituous liquors within the tract occupied by the Moravian Indians on the River Thames, called the township of Oxford, and to present a Petition relative thereto.

And leave was granted accordingly.

Mr. Sherwood moved, seconded by Mr. Clench, for leave to bring in to-morrow a Bill to alter the Practice of the Court of King's Bench.

And then leave was granted.

Mr. Swayzie moved, seconded by Mr. Sherwood, for leave to bring in on Wednesday next a Bill entitled "An Act respecting strays."

And leave was granted accordingly.

On motion of Mr. Rogers, seconded by Mr. Swayzie,

The House adjourned until eight o'clock to-morrow morning.

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*Tuesday, 16th June 1801.*

Prayers were read.

Agreeable to the Order of the Day the Bill to enable Femmes Covert having real estate or interest in real estate more conveniently to aliene the same was read the third time.

Ordered, That the said Bill do pass, and the same was signed by Mr. Speaker.

Ordered, That Mr. Rogers, Capt. McKee, and Capt. Elliott do carry the same up to the Legislative Council, and inform them that the House has concurred therein without any amendment.

The Bill to fix the times for holding the Courts of General Quarter Sessions in the Districts of Niagara, London and Johnstown was read the third time as engrossed.

Ordered, That the said Bill do pass, and the same was accordingly signed by Mr. Speaker.

The engrossed Bill to authorize the Governor, Lieutenant Governor or person administering the Government of this Province to nominate and appoint Inspectors of flour, pot and pearl ashes within this Province was read the third time.

On the question being put by Mr. Speaker, shall this Bill pass,  
The House divided, and the names were taken down as follows.

YEAS.

NAYS.

MR. FERGUSON  
SHERIFF MACDONELL  
SHERWOOD  
ROGERS  
WASHBURN  
CAPT. McKEE  
ELLIOTT  
WEAGER

MR. BEASLEY  
NELLES  
CLENCH and  
SWAYZIE

The question was carried in the affirmative by a majority of four.

Ordered therefore, That the said Bill do pass, and the same was accordingly signed by Mr. Speaker.

Ordered, That Mr. Rogers, Capt. McKee and Capt. Elliott do carry up the two Bills last passed to the Legislative Council and request their concurrence passing the same.

The Bill to alter the practice of the Court of King's Bench was read the first time.

The Bill to extend the jurisdiction of the several District Courts, throughout this province, and to amend the same, was read a second time.

On the motion of Mr. Sherwood, seconded by Mr. Clench,—that this House do now resolve itself into Committee to go into the consideration of the said Bill—

The House divided, and the question having been thereupon put the same passed in the negative.

And then Mr. Ferguson, seconded by Sheriff Macdonell, moved that this House do resolve itself into Committee to-morrow to take into consideration the said Bill.

And it was so ordered accordingly.

Read the first time, A Bill for laying the like duty on goods and merchandize brought into this Province from the United States of America as is now paid on goods and merchandize imported from Great Britain and other places.

On the motion of Mr. Ferguson, seconded by Mr. Clench,

Ordered, That the Committee appointed to draught a Bill for ratifying the Provisional Agreement between this Province and Lower Canada be directed to give in their Report to-morrow.



It was so ordered accordingly.

Mr. Rogers, seconded by Capt. McKee, moved for leave to bring in a Bill to-morrow for granting indulgences to the people called Quakers, Menonists and Tunkers on to-morrow.

And leave was granted.

And then on motion of Mr. Beasley, seconded by Mr. Swayzie,  
The House adjourned.

*Wednesday, 17th June 1801.*

Prayers were read.

Mr. Rogers, first named to carry to the Honorable Legislative Council for their concurrence the Bill entitled "An Act to fix the times for holding the Courts of General Quarter Sessions in the Districts of Niagara, London and Johnstown" and a Bill entitled "An Act to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province to nominate and appoint Inspectors of flour, pot and pearl ashes within this province" and to return the Bill sent down by them, entitled "An Act to enable Femmes Covert, having real estate, or interest in real estate, the more conveniently to aliene the same," to which this House have concurred without any amendments, reported that they had brought up the said Bills.

Read the first time, A Bill to prevent the sale of rum and other spirituous liquors among the Moravian Indians settled upon and along the River Thames.

Ordered, That the same be read a second time to-morrow.

On the motion of Mr. Swayzie, seconded by Mr. Beasley,

Ordered, That the order for granting leave to bring in a Bill to provide for the maintenance of poor persons be discharged.

Ordered accordingly.

A Bill for granting indulgences to the people called Quakers, Menonists, and Tunkers was read the first time.

Ordered, That the same be read a second time on Friday next.

The engrossed Bill to empower the Commissioners of the Peace for the Midland District in their Court of General Sessions assembled, to establish and regulate a market in and for the Town of Kingston was read a third time.

Whereupon Mr. Speaker having put the question shall this Bill pass the House divided, and the names were taken down as follows.

Yeas

Nays

MR. SHERIFF MACDONELL

MESSRS CLENCH

MESSRS ELLIOTT

SWAYZIE

SHERWOOD

McKEE

FERGUSON

WEAGER

THOMPSON

McCRAE

NELLES

The question was therefore carried in the affirmative by a majority of seven, and then Mr. Speaker signed the said Bill.

Ordered, That Mr. Thompson, Mr. Ferguson and Mr. Washburn do carry up the same to the Legislative Council, and do request their concurrence in passing the same.

Mr. Thompson reported that they had carried up the said Bill to the Legislative Council.

A Message was received from the Legislative Council by Mr. Burns, Master in Chancery, and delivered in the following words.

Mr. Speaker,

The Honorable Legislative Council have passed a Bill entitled "An Act to continue an Act passed in the thirty seventh year of His Majesty's Reign, entitled "An Act for the better securing the Province against King's enemies," and request your concurrence therein.

And then withdrew.

Which Bill was read by order the first time, and ordered to be read the second time to-morrow.

Pursuant to the Order of the Day Mr. Speaker called for the Report of the Committee appointed to report the draught of a Bill to ratify, approve, and confirm the articles of Provisional Agreement entered into by and between the Commissioners on the part of this Province and the Commissioners on behalf of the Province of Lower Canada.

Upon which Mr. Ferguson moved, seconded by Mr. Clench, that so much of the Order of the Day as directs that the said Committee do report this day be discharged, and that further leave be given to the said Committee to report to-morrow.

Agreeable to the Order of the Day the House resolved itself into Committee to go into the consideration of the Bill to alter practice and extend the jurisdiction of the several District Courts throughout this Province.

Mr. Speaker left the Chair.

Mr. Weager was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Weager reported that the Committee had gone through the consideration of the said Bill and had agreed thereto with amendments.

And then Mr. Speaker put the question, shall this Report be now accepted.

Upon which Mr. Sheriff Macdonell seconded by Mr. Rogers moved that the Report be not accepted.

Whereupon the question having been put the same was carried in the affirmative.

Then Mr. Rogers, seconded by Mr. Sheriff Macdonell moved that this Bill be sent back to the Committee for their further consideration and Report.

And the House resolved itself again into Committee.

Mr. Speaker left the Chair.

Mr. Weager took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Weager reported that the Committee had again taken up the consideration of the said Bill, and had agreed thereto with some further amendments.

Then Mr. Speaker again put the question, shall this Report be accepted, upon which a division took place, and the names were taken down as follows.

## Yeas

Mr. SHERIFF MACDONELL  
 SWAYZIE  
 CLENCH  
 THOMPSON  
 SHERWOOD  
 SOLICITOR GENERAL  
 McKEE  
 McCRAE  
 WEAGER  
 BUELL

## Nays

MR. WASHBURN  
 BEASLEY  
 NELLES  
 FERGUSON  
 ELLIOTT  
 ROGERS

The question therefore for accepting the said Report was carried in the affirmative by a majority of four.

The Speaker having informed the House that he had received notice from Mr. Angus Macdonell that he was prevented by indisposition from attending his duty in the House this day, and submitted the propriety of deferring the consideration of the Bill for obviating a doubt which has arisen concerning the remedies, process and proceedings established by law in this Province against Houses, Lands, and other Hereditaments and Real Estate for the satisfaction of debts, until Mr. Macdonell should attend in his place.

Ordered, That the Order for the House to resolve itself into Committee this day to take the said Bill into consideration be discharged, and that the same be taken into consideration by a Committee of the Whole House to-morrow.

It was ordered so accordingly.

The Bill to alter the Practice of the Court of King's Bench was read a second time.

On the motion of Mr. Sherwood, seconded by Mr. Clench,

Ordered, That the House do now resolve itself into Committee to consider of the same.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Buell was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Buell reported that the Committee had gone through the consideration of the said Bill and had agreed thereto without amendment.

Which report was accepted.

On the motion of Mr. Sherwood, seconded by Mr. Rogers,

Ordered, That the said Bill be engrossed and read the third time to-morrow.

Mr. Swayzie by leave brought up the Petition of Angus McDonell, Esq.

Which was ordered to lie upon the Table.

On the motion of Mr. Sherwood, seconded by Mr. Clench,

Ordered, That the Bill to alter the Practice and to extend the Jurisdiction of the several District Courts throughout this Province be engrossed and read a third time to-morrow.

It was ordered so accordingly.

Mr. Clench, seconded by Mr. Beasley, moved for leave to bring in on Saturday next a Bill to ascertain and declare which shall be deemed Public Highways and Roads in the District of Niagara, and West Riding of the County of York.

And leave was granted.



And then Mr. Clench, seconded by Mr. Beasley, moved for leave to bring in on Saturday next a Bill to render more effectual a certain Act passed in the thirty ninth year of His Majesty's Reign, entitled "An Act for the further regulation of the Militia."

And leave was accordingly given.

And then on motion of Mr. Clench, seconded by Mr. Swayzie.

The House adjourned.

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*Thursday, 18th June 1801.*

Prayers were read.

According to the Order of the Day the engrossed Bill to alter the practice of the Court of King's Bench was read the third time.

Ordered, thereupon, That the said Bill do pass and the same was accordingly signed by Mr. Speaker.

Likewise read pursuant to the Order of the Day a third time the engrossed Bill to alter the practice and extend the jurisdiction of the several District Courts throughout this Province.

Which was also passed, and the same was signed by Mr. Speaker.

On the motion of Mr. Clench, seconded by Mr. Swayzie,

Ordered, That Mr. Solicitor General, Mr. Swayzie and Mr. Nelles do carry up the two Bills now passed to the Legislative Council, and request their concurrence.

Agreeable to the Order of the Day Mr. Ferguson, from the Committee appointed to report the draught of a Bill to ratify, approve and confirm the articles of Provisional Agreement entered into by and between the Commissioners on the part of this Province and the Commissioners on the part of the Province of Lower Canada, reported the draught of a Bill.

Which was read by the Clerk at the Table.

After which Mr. Speaker put the question, shall this Report be accepted.

Upon which Mr. Ferguson, seconded by Mr. Rogers, moved that this Report be not accepted.

Whereupon a division took place, and the names were taken down as follows.

Yeas

MR. FERGUSON  
ROGERS  
CLENCH  
BEASLEY  
NELLES  
WEAGER  
SWAYZIE  
WASHBURN

Nays

MR. SHERIFF MACDONELL  
CAPT. ELLIOTT  
A. MACDONELL  
SHERWOOD  
SOL'R GENERAL  
BUELL  
THOMPSON  
CAPT. McKEE  
McCRAE

The question of Mr. Ferguson's motion passed in the negative by a majority of one, and the Report was accepted accordingly.

Ordered, That the said Bill be read a second time to-morrow.

The Bill entitled "An Act to continue an Act Passed in the thirty seventh year of His Majesty's Reign, entitled "An Act for the better securing the Province against the King's Enemies" was read a second time.

Mr. Solicitor General moved, seconded by Mr. Swayzie, that the House do now resolve itself into Committee to go into consideration of the said Bill.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Swayzie took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported that the Committee had gone through the consideration of the said Bill and had agreed thereto without any amendment.

Which report was accepted.

On motion of Mr. Solicitor General, seconded by Mr. Sherwood,

Ordered, That the said Bill be now read a third time.

It was read and passed accordingly, and Mr. Speaker signed the same.

On the motion of Mr. Rogers, seconded by Mr. Beasley,

Ordered, That Mr. Solicitor General, Mr. Sherwood and Mr. Angus Macdonell do carry up this Bill to the Legislative Council and inform that they have passed the same without any amendments.

According to the Order of the Day, the House resolved itself into Committee to take into their consideration the Bill entitled "An Act for obviating a doubt which had arisen concerning the remedies, process and proceedings established by law in this province against Houses, Lands, and other Hereditaments and Real Estate for the satisfaction of debts.

Mr. Speaker left the Chair.

Mr. McCrae took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McCrae reported that the Committee had gone through the consideration of the said Bill and had agreed thereto without any amendment.

Which report was accepted.

Ordered, That the said Bill be engrossed, and read a third time to-morrow.

The Bill to prevent the sale of spirituous liquors and strong waters in the tract occupied by the Moravian Indians on the River Thames in the Western District was read the second time.

After which was read by the Clerk at the Table the Humble Petition of G. S. Oppell, C. T. Denkey, and Michel Young, Missionaries of the Episcopal Church among the said Tribe of Indians, which is as follows.

To His Excellency the Governor, The Honorable Council and House of Representatives for the Province of Upper Canada.

The following Humble Petition of the subscribers Indian Missionaries sent by the Episcopal Church of Unitas Fratrem or United Brethren (otherwise called Moravians living and residing at Fairfield, an Indian Moravian Town on the River Thames, in Upper Canada, in His Majesty's Dominions.,

Humbly Sheweth,

That said Missionaries whose names and handwritings are underwritten have no other intention whilst residing with the Indians than in the first place to introduce religion amongst them by acquainting them with their God and Creator, and to publish and preach to them the Divine and all saving word of God manifested

and revealed to them. Their secondary object is that after they received and adhered to and are accordingly initiated as members into the Church to lead them on to a state of cultivation by keeping schools, teaching them to read, write, and cipher, and instructing them in agriculture etc.

This Petition likewise humbly sheweth, That said Missionaries labour hard under divers obstacles which seem contrary and destructive to their benevolent design, especially the frequent sale of spirituous liquors to Indians, which certainly ruins them totally. It has already happened that white people have fetched liquor within the boundaries of that tract of land which His Royal Majesty has graciously granted to the believing Indians, lying on the River Thames, called Oxford, N and S, and that thereby many of the Indians were brought to a state of intoxication.

Therefore the subscribers humbly pray that a Bill might be passed prohibiting intoxicating or pernicious liquor whatever to be brought either for sale or for bartering for produce upon and within the limits of the said tract of land graciously granted by His Majesty to the believing Indians, because of the detrimental consequences that accrue from it, which are quite opposite to the intention of the Church of United Brethren and its Missionaries.

The subscribers therefore most Humbly Pray that the proper means may be taken to prevent and avoid the distribution or giving out any intoxicating liquor, either in large or small quantities upon the said tract.

Fairfield, a Town  
of Moravian Indians  
on the River Thames, May 14th, 1801.

On the motion of Mr. Rogers, seconded by Capt. McKee,  
The House resolved itself into Committee to take the said Bill into consideration.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sheriff Macdonell reported that the Committee had made some progress in the consideration of the said Bill, and had directed him to request leave to sit again this day.

And leave was granted accordingly.

A Message by Mr. Burns, Master in Chancery, was received from the Legislative Council, and delivered in the following words.

Mr. Speaker:—

I am commanded by the Honorable Legislative Council to inform this Honorable House that the Legislative Council have concurred in passing without any amendment a Bill to authorize the Governor, Lieutenant Governor, or person administering the Government to appoint Inspectors of Flour, Pot and Pearl ashes within this province.

And have also concurred in passing without any amendment another Bill entitled "An Act to regulate the Statute Labour to be done upon the tract occupied by the Huron Indians in the County of Essex, Western District.

And then withdrew.



After which the House again resolved itself into Committee to resume the consideration of the Bill to prevent the sale of spirituous liquors and strong waters in the tract occupied by the Moravian Indians on the River Thames in the Western District.

Mr. Speaker resumed the Chair.

Mr. Sheriff Macdonell reported that the Committee had gone through the consideration of the said Bill with amendments.

Which report was accepted.

Ordered, That the said Bill as amended be engrossed, and read a third time to-morrow.

Mr. Ferguson, seconded by Mr. Swayzie, moved for leave to bring on Saturday next a Bill entitled "An Act to prevent the selling of strong Liquors to the Indians of this Province, and also to prevent persons from buying their arms, ammunition, clothing and cooking utensils, given to them by His Majesty."

And leave was granted.

Mr. Washburn, seconded by Mr. Swayzie, moved for leave to bring in to-morrow a Bill entitled "An Act to repeal so much of an Act passed in the thirty third and fortieth years of His Majesty's Reign, entitled "An Act to regulate the laying out, amending and keeping in repair the Public Highways and Roads within this Province," so far as either of the above recited acts extend to the particular quantity of labour to be done on the highways by individuals, and to make further provision for the same.

Whereupon the question having been put, the House divided, and the same passed in the negative.

On the motion of Mr. Rogers, seconded by Mr. Clench,

The House adjourned.

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*Friday 19th June 1801.*

Prayers were read.

Mr. Solicitor General, first named for the Committee appointed to carry up to the Legislative Council the Bill entitled "An Act to alter the practice of the Court of King's Bench," and the Bill to alter the Practice and extend the jurisdiction of the several District Courts throughout the province, and to request their concurrence in passing the same, and also to return to the said Legislative Council the Bill to continue an Act passed in the thirty seventh year of His Majesty's Reign, entitled "An Act for the better securing the Province against the King's enemies," and to inform them that the House had concurred therein without any amendments, reported that they had carried up the said Bills, to the Honorable Legislative Council.

Mr. Speaker prayed that the House do dispense this morning with the practice of going immediately into the Order of the Day, in order to give an opportunity to some of the Members to move that the Bill to fix the times of holding the Courts of General Quarter Sessions in the Districts of Niagara, London and Johnstown, be carried up to the Legislative Council.

It was so ordered.

On the motion of Mr. Rogers, seconded by Capt. McKee,

Ordered, That Mr. Solicitor General, Messrs. Washburn and Buell do carry up the said Bill to the Legislative Council, and do request their concurrence in passing the same.

The engrossed Bill to prevent the sale of spirituous liquors and strong waters in the tract occupied by the Moravian Indians on the River Thames in the Western District, was read a third time.

Mr. Speaker having put the question shall this Bill pass, the same passed accordingly, and was signed by Mr. Speaker.

Ordered thereupon, That Mr. Solicitor General, Messrs Washburn and Buell do carry up the said Bill to the Legislative Council, and do request their concurrence.

The engrossed Bill for obviating a doubt which hath arisen concerning the remedies, process and proceedings established by law in this Province against Houses, Lands, and other Hereditaments and Real Estate, for the satisfaction of debts, was read a third time.

Ordered, That the said Bill do pass, and the same was signed accordingly by Mr. Speaker.

Ordered, That Mr. Solicitor General, Messrs. Washburn and Buell do carry up the said Bill to the Legislative Council, and do request their concurrence in passing the same.

The Bill for granting indulgences to the people called Quakers, Menonists and Tunkers was read a second time.

Mr. Rogers, seconded by Capt. McKee, moved that this House do now resolve itself into Committee to go into consideration of the said Bill.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

And Capt. McKee reported that the Committee had gone into the consideration of the said Bill, had made a progress therein, and directed him to request leave to sit again to-morrow.

And leave was given.

Mr. Solicitor General, first named from the Committee appointed to carry up the three Bills before mentioned to the Legislative Council, which were sent up this day for their concurrence, reported that they had carried up the same.

The Bill to ratify, approve and confirm certain Provisional Articles of agreement entered into by the respective Commissioners of this Province and of Lower Canada, dated at Quebec on the second day of February one thousand eight hundred and one, relative to duties and for carrying the same into effect and also to continue an Act passed in the thirty-seventh year of His Majesty's Reign, was read the second time.

On the motion of Mr. Solicitor General, seconded by Mr. Sheriff Macdonell,

Ordered, That the House do now resolve itself into Committee to go into the consideration of the said Bill.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Clench was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Clench reported that the Committee had made a progress in the consideration of the said Bill, and had directed him to request leave to sit again to-morrow.

And leave was granted accordingly.

Agreeable to order the Petition of Angus Macdonell, Esquire, was read by the Clerk at the Table, in the following words.

To the Honorable the Commons of Upper Canada  
in Parliament assembled the Petition of Angus  
Macdonell,

### HUMBLY SHEWETH

That considerable arrears of salary and contingencies are due to Your Petitioner for his Services as Clerk of the Commons House of Assembly, the amount and particulars of which he is ready to state and substantiate at the Bar of Your Honorable House, or before any Committee thereof, when it may be the pleasure of Your Honors that the same be inquired into.

Wherefore Your Petitioner humbly prays Your Honors would be pleased to order inquiry will be made into his claim, and that the same be satisfied and he will as in duty bound pray, &c.

York 17th June 1801.

(Signed) A. Macdonell.

And then Mr. Rogers moved, seconded by Mr. Clench, that Mr. McDonell's Petition be referred to the Committee of the Whole House on Public Accounts.

And it was ordered so accordingly.

Mr. Washburn, seconded by Mr. Swayzie, moved for leave to bring in a Bill to repeal so much of an Act passed in the thirty third and fortieth years of His Majesty's Reign, entitled "An Act to regulate the laying out and keeping in repair the Public Highways and Roads within this Province, so far as either of the above recited acts extend to the particular quantity of labour to be done on the Highways by individuals, and to make further regulations for them on to-morrow.

On the question being put thereon a division took place, and the names were taken down, and are as follows:—

Yeas	Nays
MESSRS SWAYZIE	CAPT. ELLIOTT
THOMPSON	MESSRS SHERWOOD
CAPT. McKEE	A. MACDONALD
CLENCH	SHERIFF MACDONELL
ROGERS	BUELL
WEAGER	BEASLEY
McCRAE	SOL'R GEN'L
WASHBURN	
NELLES	
FERGUSON	

And the same was carried in the affirmative by a majority of three  
And leave was accordingly given.

On the motion of Mr. Beasley, seconded by Mr. Rogers,

Ordered, That the House do now resolve itself into a Committee of the Whole House to take into their consideration the Public Accounts with power to send for such papers, and persons, as may be deemed necessary.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.



Mr. Thompson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Thompson reported that the Committee had made a progress in the consideration of the Public Accounts, and had directed him to request leave to sit again to-morrow.

And leave was given accordingly.

On the motion of Mr. Beasley, seconded by Mr. Swayzie,

The House adjourned.

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*Saturday 20th June 1801.*

Prayers were read.

Mr. Washburn, according to the Order of the Day presented a Bill to repeal so much of an Act passed in the thirty third and fortieth year of His Majesty's Reign, entitled "An Act to regulate the laying out and keeping in repair the Public Highways and Roads within this Province.

The same was received and read the first time.

Mr. Ferguson, seconded by Mr. Rogers, moved that the said Bill be read a second time on Monday next.

On the question being put thereupon a division took place, and the same was carried in the affirmative.

And it was ordered accordingly.

Then Mr. Ferguson, according to the Order of the Day, presented a Bill entitled "An Act to prevent the selling of strong liquors to the Indians in this Province, and also to prevent persons from buying their arms, ammunition, clothing, cooking utensils and provisions, given them by His Majesty."

And the same was received and read the first time.

And then on motion of Mr. Ferguson, seconded by Capt. Elliott,

The said Bill was ordered to be read a second time on Monday next.

According to the Order of the Day a Bill to ascertain and declare which shall be deemed Public Highways and Roads in the District of Niagara and West Riding of the County of York was read the first time.

And then on motion of Mr. Clench, seconded by Mr. Swayzie,

Ordered, That the said Bill be read a second time on Monday next.

Mr. Clench according to leave given, presented a Bill to render more effectual a certain act passed in the thirty ninth year of His Majesty's Reign, entitled "An Act for the further regulation of the Militia" which was received and read the first time.

Then Mr. Clench, seconded by Mr. Swayzie, moved that the said Bill be read a second time on Monday next.

And it was so ordered accordingly.

Agreeable to the Order of the Day, the House resolved itself into Committee for going further into the consideration of the Bill for granting indulgences to the people called the Quakers, Menonists, and Tunkers.

Mr. Speaker left the Chair.

Capt. McKee was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Capt. McKee was directed to ask for leave to report on Monday next.

And leave was accordingly granted.

Agreeable to the Order of the Day the House resolved itself into Committee to take up the further consideration of the Bill to ratify, approve, and confirm certain Provisional Articles of Agreement entered into by the respective Commissioners of this Province and of Lower Canada, dated at Quebec on the second day of February one thousand eight hundred and one relative to duties and for carrying the same into thirty seventh year of His Majesty's Reign.

Mr. Speaker left the Chair.

Mr. Rogers was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported that the Committee had gone through the consideration of the Bill, and had made some amendments thereto, which he was directed to submit to the House, and he read the report in his place, and afterwards delivered the Bill with amendments.

Which Bill with the said amendments was accepted, and ordered to be engrossed and read a third time on Monday next.

On motion of Capt. Elliott, seconded by Mr. Sheriff Macdonell,

Ordered, That the order for the House to resolve itself into Committee this day on the Public Accounts be discharged, and that the same be taken into consideration on Monday next.

On motion of Mr. Beasley, seconded by Mr. Swayzie,  
The House adjourned.

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*Monday 22nd June 1801.*

Prayers were read.

Agreeable to the Order of the Day, Capt. McKee from the Committee to whom was referred the further consideration of the Bill for granting indulgences to the people called Quakers, Menonists and Tunkers reported that the Committee had gone through the consideration of the said Bill, and desired him to report the same with amendments.

Which report was accepted.

Mr. Rogers, seconded by Mr. Clench, then moved that the said Bill be engrossed and read the third time to-morrow.

It was ordered so accordingly.

Read a second time, the Bill to declare and establish certain Roads in the County of Lincoln and West Riding of York.

On motion of Mr. Rogers, seconded by Mr. Solicitor General,

The House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. McCrae reported that the Committee had gone through the consideration of the said Bill with amendments.

Which report was accepted.

Then Mr. Clench moved, seconded by Mr. Solicitor General, that the said Bill be engrossed, and read a third time to-morrow, and it was ordered accordingly.

And then Mr. Sherwood, seconded by Capt. Elliott, moved that so much of the Order of the Day be discharged as directs the second reading of the Road Bill introduced on Saturday, and that the second reading be postponed for three months.

The question being thereupon put, the House divided, and the same was carried in the affirmative and ordered accordingly.

Agreeable to the Order of the Day, read a second time the Bill entitled "An Act for the further regulation of the Militia of this Province."

On motion of Mr. Clench, seconded by Mr. Beasley,

The House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Beasley was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Beasley reported the Bill with amendments.

Which Report was accepted.

And then on motion of Mr. Clench, seconded by Mr. Beasley,

Ordered, That the said Bill be engrossed and read a third time to-morrow.

Mr. Clench moved, seconded by Mr. Swayzie, That the Bill to ratify, approve, and confirm certain Provisional Articles of Agreement entered into by the respective Commissioners of this Province and of Lower Canada, dated at Quebec on the second day of February, one thousand eight hundred and one, relative duties and to carrying the same into effect, and also to continue an Act passed in the thirty-seventh year of His Majesty's Reign; that the two blanks after the word "Chaplain" be filled up with "fifty pounds" each, and the main blank for the total with the seven hundred and forty pounds.

It was ordered so accordingly.

Then the Bill was read a third time as engrossed, the same passed nem con and was signed by Mr. Speaker.

And then Mr. Clench, seconded by Mr. Swazey, moved that Mr. Sherwood, Sheriff Macdonell and Mr. Beasley do carry up the said Bill to the Honorable Legislative Council and request their concurrence.

Mr. Sherwood reported that the said Bill was carried up to the Honorable Legislative Council for their concurrence.

Read a second time, a Bill entitled "An Act to prevent the selling of strong liquors to the Indians in this Province, and also to prevent persons from buying their arms, ammunition, clothing, cooking utensils and provisions given them by His Majesty."

On motion of Mr. Ferguson, seconded by Capt. Elliott,

Ordered, That the said Bill be taken into Committee of the whole House on Wednesday next.

It was so ordered accordingly.

Agreeable to the order of the day the House resumed the further consideration of the Bill for the better division of the Township of Sandwich.

On motion of Mr. McCrae, seconded by Mr. Swayzie,

The House resolved itself into Committee upon the said Bill.

Mr. Speaker left the Chair.

Mr. Weager was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Weager reported that the Committee had gone through the consideration of the said Bill with amendments,

Which report was accepted.

And then, on motion of Mr. McCrae, seconded by Mr. Swazey,

Ordered, That the said Bill be engrossed and read a third time to-morrow.

On motion of Mr. Rogers, seconded by Mr. Beasley,

The House resolved itself into Committee upon the Bill for laying the light duty upon goods and merchandise brought into this Province from the United



States of America, as is now paid on goods and merchandise imported from Great Britain and other places.

Mr. Speaker left the Chair.

Mr. Macdonell was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Macdonell reported that the Committee had made some progress and had directed him to ask leave to sit again.

And leave was accordingly given.

Mr. Beasley moved, seconded by Mr. Swayzie, that the Order of the Day for the House to resolve itself into Committee on the Public Accounts be discharged, and that the same be resumed on Wednesday next.

It was so ordered accordingly.

Mr. McCrae moved, seconded by Mr. Swayzie, for leave to bring in on Wednesday next a Bill to authorize and empower the several Magistrates of the respective districts, by warrant to apprehend absconding debtors.

Leave was given.

On motion of Mr. McCrae, seconded by Mr. Swayzie,

The House adjourned.

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*Tuesday, 23rd June 1801.*

Prayers were read.

According to the Order of the Day was read the third time the engrossed Bill for granting indulgences to the people called Quakers, Menonists, and Tunkers. The same passed and was signed by Mr. Speaker.

The engrossed Bill for the better regulation of the Militia of this Province was read a third time.

And passed and was signed by Mr. Speaker.

Agreeable to the Order of the Day was read a third time the engrossed Bill for the better division of the Township of Sandwich.

Which passed and the same was signed by Mr. Speaker.

Mr. Nelles moved, seconded by Mr. Swayzie, that Messrs. Rogers, Clench and A. B. Macdonell do carry up the said Bill now passed to the Legislative Council and request their concurrence.

Ordered accordingly.

The House resolved itself into Committee to resume the further consideration of the Bill for laying the Light duty on goods and merchandise brought into this Province from the United States of America as is now paid on goods and merchandise imported from Great Britain and other places.

Mr. Speaker left the Chair.

Mr. Macdonell took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Macdonell reported a further progress and asked for leave to sit again.

Leave was accordingly granted.

Mr. Rogers, first named to carry up to the Legislative Council the Bill entitled "An Act for granting indulgences to the people called Quakers, Menonists, and Tunkers," the Bill declaring and establishing certain roads in the County of Lincoln and West Riding of the County of York, as also the Bill for the better

regulation of the Militia of this Province, and the Bill for the better division of the Township of Sandwich, reported that they had carried up the said Bills and requested their concurrence.

On motion of Mr. Clench, seconded by Mr. Rogers  
The House adjourned.

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*Wednesday, 24th June 1801.*

Prayers were read.

Mr. Nelles moved, seconded by Mr. Swayzie, That the Order for this Day be discharged and taken into consideration to-morrow.

It was ordered accordingly.

On motion of Mr. Swayzie, seconded by Mr. Nelles,  
The House adjourned.

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*Thursday, 25th June, 1801.*

Prayers were read.

Read the first time, A Bill to authorize and empower the several Magistrates of the respective Districts within this Province by warrant to apprehend absconding debtors.

Mr. McCrae moved, seconded by Mr. Nelles, That the said Bill be read a second time to-morrow.

Ordered accordingly.

Mr. Beasley, seconded by Mr. Nelles, moved that this House do now resolve itself into Committee on the Public Accounts.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Thompson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Thompson reported a progress, and asked for leave to sit again this day.

And leave was granted.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker

The Honorable Legislative Council have passed the Bills entitled "An Act to empower the Commissioners of the Peace for the Midland District in their Courts of General Quarter Sessions assembled to establish and regulate a market in and for the Town of Kingston in the said District," with some amendments, to which amendments they desire the concurrence of the House of Assembly.

Also a Bill entitled "An Act to alter the times of holding the District Court and the General Quarter Sessions of the Peace for the Districts of Niagara, Johnstown and London," with some amendments, to which amendments they desire the concurrence of the House of Assembly.

And a Bill entitled "An Act to prevent the sale of spirituous liquors and strong waters in the tract occupied by the Moravian Indians on the River Thames in the Western District," with some amendments, to which amendments they desire the concurrence of the House of Assembly.

And then withdrew.

The amendments to the several Bills were read agreeable to order by the Clerk at the Table.

Mr. Speaker left the Chair.

Mr. Thompson again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported a progress, and was directed to ask for leave to sit again this day.

And leave was granted.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery,

Mr. Speaker,

The Honorable Legislative Council have passed the Bill entitled "An Act to ratify and confirm certain provisional Articles of Agreement entered into by the respective Commissioners of this Province and of Lower Canada, dated at Quebec on the second day of February, one thousand eight hundred and one, relative to the duties and for carrying the same into effect, and also to continue an Act passed in the thirty-seventh year of His Majesty's Reign; with some amendments, to which amendments they desire the concurrence of the House of Assembly.

And then Withdrew.

Mr. Speaker put the question: Shall the Amendments sent down by the Honorable Legislative Council to the Bill entitled "An Act to ratify, approve and confirm certain Provisional Articles of agreement entered into between this Province and the Province of Lower Canada be now read.

Upon which Mr. Rogers, seconded by Mr. Clench, moved that the amendments sent down by the Honorable Legislative Council to the said Bill be read in three months.

And it was ordered so accordingly.

Mr. Speaker left the Chair.

Mr. Thompson took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Thompson reported a progress and asked for leave to sit again.

And leave was granted.

On motion of Mr. Rogers, seconded by Mr. Clench,

Ordered, That the House do now resolve itself into Committee on the Bill as amended by the Honorable Legislative Council for regulating the sittings of the Courts in the Districts of Niagara, London and Johnstown.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Nelles was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Nelles reported that the Committee had gone into the consideration of the said amendments and recommended to have a conference with the Legislative Council on the said amendments made by them to the Bill entitled "An Act to alter the times of holding the District Courts and the General Quarter Sessions of the Peace for the Districts of Niagara, London and Johnstown.



Which report was accepted, and ordered accordingly.

Mr. Rogers moved, seconded by Mr. Clench, that Mr. Beasley and Mr. McCrae do wait upon the Legislative Council and request a conference on the amendments to the said Bill.

It was so ordered accordingly.

Mr. Beasley reported that they did request a conference.

The House resolved itself into Committee on the amendments made by the Legislative Council to the Bill entitled "An Act to prevent the sale of spirituous liquors and strong waters on the tract occupied by the Moravian Indians on the River Thames."

Mr. Speaker left the Chair.

Mr. Beasley took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Beasley reported a progress, and asked for leave to sit again this day.

And leave was granted accordingly.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery,

Mr. Speaker,

I am directed to inform the House of Assembly that the Honorable Legislative Council have acceded to your request by message, and have appointed a Committee of three Members to meet a Committee of the House of Assembly upon the subject of the amendments made to a Bill to fix the time of holding the Courts of General Quarter Sessions in the Districts of Niagara, London and Johnstown, which conference is appointed to be held in the Legislative Council Chamber at the rising of this House to-day.

And then withdrew.

Mr. Beasley, seconded by Mr. Swayzie, moved that Messrs. Sherwood, Rogers and Clench be a Committee to confer with the Committee of the Legislative Council on the amendments to a Bill entitled "An Act to alter the times of holding the District Courts and General Quarter Sessions of the Peace for the Districts of Niagara, Johnstown and London.

It was ordered accordingly.

Then Mr. Speaker left the Chair.

Mr. Beasley took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Beasley reported that the Committee had gone into the consideration of the said amendments and recommended to have a conference with the Legislative Council on the amendments made by them to the Bill entitled "An Act to prevent the sale of spirituous liquors and strong waters in the tract occupied by the Moravian Indians on the River Thames in the Western District.

Which report was accepted.

Agreeable to the Order of the Day, the House resolved itself into Committee on the Bill entitled "An Act to prevent the selling of strong liquors to the Indians in this Province, and also to prevent persons from buying their arms, ammunition, clothing, cooking utensils and provisions given to them by His Majesty, and also to repeal an ordinance of the heretofore Province of Quebec, passed in the seventeenth year of His Majesty's Reign, entitled "An ordinance to prevent the selling of strong liquors to the Indians in the Province of Quebec" as also to prevent persons from buying their arms or clothing, and for other purposes relative to the trade and intercourse with the said Indians."

Mr. Speaker left the Chair.

Mr. Swayzie was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Swayzie reported a progress, and was directed to ask leave to sit again.

And leave was granted accordingly.

Mr. Ferguson moved, seconded by Capt. Elliott, that the Bill entitled "An Act to empower the Commissioners of the Peace for the Midland District in their Court of General Quarter Sessions assembled to establish and regulate a market in and for the Town of Kingston in the said District," do pass as amended by the Honorable Legislative Council.

And the said Bill passed and was signed by Mr. Speaker.

Mr. Sherwood, from the Committee of conference with the Legislative Council on the Bill for fixing the times for holding the Courts of General Quarter Sessions of the Peace for the Districts of Niagara, Johnstown and London reported that they had met the Committee of the Honorable Legislative Council on the amendments made by the Honorable Legislative Council to the said Bill.

On motion of Mr. Sheriff Macdonell, seconded by Capt. Elliott, that the Rule of not receiving Bills on the same day moved for be discharged on this day.

It was so ordered accordingly.

And then Mr. Sheriff Macdonell moved, seconded by Capt. Elliott, for leave now to bring in a Bill entitled "An Act to provide more ample means for the recovery of debts."

And leave was granted.

Mr. Sheriff Macdonell, seconded by Capt. Elliott, moved that the said Bill be now read for the first time.

It was accordingly read the first time.

On motion Mr. Sheriff Macdonell, seconded by Mr. Swayzie,

Ordered, That the said Bill, be read a second time to-morrow.

It was ordered so accordingly.

On motion of Mr. Nelles, seconded by Mr. Swayzie,

The House adjourned.

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*Friday, 26th June 1801.*

Prayers were read.

Agreeable to the Order of the Day was read a second time a Bill to authorize and empower the several Magistrates of the respective Districts within this Province by warrant to apprehend absconding debtors.

Mr. Rogers, seconded by Mr. Swayzie moved, that Mr. Thompson and Capt. McKee do wait upon the Honorable Legislative Council, and inform them that this House have concurred in the amendments made to a Bill entitled "An Act to empower the Commissioners of the Peace for the Midland District in their Court of General Quarter Sessions assembled to establish and regulate a market in and for the Town of Kingston in the said District." And to request a conference on the amendments made by the Honorable Legislative Council to a Bill entitled "An Act to prevent the sale of spirituous liquors or strong waters in the Tract occupied by the Moravian Indians on the River Thames in the Western District.

And then Mr. McCrae moved, seconded by Mr. Swayzie, that this House do now resolve itself into Committee on the Bill to authorize a Magistrate to grant a Warrant to apprehend an absconding debtor.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Washburn was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Washburn reported a progress and asked for leave to sit again this day.

And leave was accordingly granted.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery,

Mr. Speaker,

I am directed by the Honorable Legislative Council to request that the House of Assembly do appoint a Committee to meet a Committee of the Legislative Council for the purpose of having a further conference on the subject of a Bill to fix the time for holding the Courts of General Quarter Sessions in the District of Niagara, London and Johnstown. I am also directed to inform this House that the Honorable the Legislative Council have acceded to their message of this day, and have agreeable thereto appointed a Committee to meet in conference upon the amendments made to a Bill to prevent the sale of spirituous liquors and strong waters in the Tract occupied by the Moravian Indians on the River Thames in the Western District, and that the said Committee do meet at the rising of the Legislative Council to-day.

And then withdrew.

Mr. Rogers moved, seconded by Mr. Swayzie, That Messrs. McCrae, Ferguson, McKee, Elliott and Sheriff Macdonell be a Committee to confer with the Committee of the Honorable Legislative Council on the amendments made to an Act to prevent the sale of spirituous liquors and strong waters in the Tract occupied by the Moravian Indians on the River Thames in the Western District.

Mr. Speaker left the Chair.

Mr. Washburn again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported a progress and asked for leave to sit again this day.

Leave was granted.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

The Honorable Legislative Council have passed the Bill for the further regulation of the Militia of this Province with some amendments, to which amendments they desire the concurrence of the House of Assembly.

And then withdrew.

Mr. Speaker left the Chair.

Mr. Washburn again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported a progress, and was directed to ask leave to sit again this day.

And leave was granted.

Mr. Sheriff Macdonell, seconded by Mr. Macdonell, moved that Messrs. Sherwood, Swayzie and Beasley be a Committee to have a further conference with a Committee of the Honorable Legislative Council on the amendments made to a Bill to fix the times of holding the General Quarter Sessions of the Peace for the Districts of London, Johnstown and Niagara.



Mr. Speaker left the Chair.

Mr. Washburn took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported progress, and was directed to ask leave to sit again. And leave was granted.

On motion of Mr. Rogers, seconded by Mr. Nelles,

Ordered, That the Order of the Day be postponed for this day.

It was ordered accordingly.

On motion of Mr. Rogers, seconded by Mr. Nelles,

The House adjourned.

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*Saturday 27th June 1801.*

Prayers were read.

Mr. Clench, seconded by Mr. Swayzie, moved that the House do now resolve itself into Committee to take into their consideration the amendments made by the Honorable Legislative Council to a Bill entitled "An Act for the further regulation of the Militia of this Province."

The House resolved itself into Committee accordingly.

The Speaker left the Chair.

Mr. Weager was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Weager reported that the Committee had gone through the consideration of the said Bill as amended by the Honorable Legislative Council and approved the same.

And then Mr. Clench moved, seconded by Mr. Swayzie, that the Bill entitled "An Act for the further regulation of the Militia of this Province" as amended by the Honorable Legislative Council do now pass.

It was ordered accordingly, and Mr. Speaker signed the same.

Mr. Sheriff Macdonell, seconded by Mr. Clench, moved that the Bill entitled "An Act to provide more ample means for the recovery of debts be now read a second time.

Upon which a division took place, and the same passed in the negative.

And Mr. Rogers moved, seconded by Mr. Sherwood, that the Bill entitled "An Act to provide more ample means for the recovery of debts be read a second time this day three months.

It was so ordered accordingly.

Mr. Rogers, seconded by Mr. Weager, moved that Messrs. Sheriff Macdonell and Elliott do wait upon the Honorable Legislative Council and inform them that this House have concurred in the amendments made to a Bill for the further regulation of the Militia of this Province.

Mr. Ferguson, seconded by Mr. Swayzie, moved that the House do now resolve itself into a Committee to take into their further consideration an Act to empower the Magistrates to hold to bail absconding debtors.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Washburn was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported a progress and asked leave to sit again this day.

A Message from the Honorable Legislative Council by Mr. Burns Master in Chancery,

Mr. Speaker,

I am directed to inform the House of Assembly that the Honorable Legislative Council withdraws all its amendments to the Bill entitled "An Act to prevent the sale of spirituous liquors and strong waters in the Tract occupied by the Moravian Indians on the River Thames in the Western District, except the amendment imposing to substitute the word "barter" for the word "vend."

And then withdrew.

Mr. Sheriff Macdonell, seconded by Capt. Elliott, moved that the Bill entitled "An Act to prevent the sale of spirituous liquors and strong waters on the Tract occupied by the Moravian Indians on the River Thames in the Western District" pass as amended by the Honorable Legislative Council.

The same passed and was signed by Mr. Speaker.

Mr. Speaker left the Chair.

Mr. Washburn again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported that the Bill entitled "An Act to authorize Magistrates to grant a Warrant to apprehend an Absconding Debtor" do pass as amended.

Which Report was accepted and ordered accordingly.

Mr. Solicitor General, seconded by Mr. Ferguson, moved that the title be "An Act for the more easy apprehending absconding debtors, and to repeal certain parts of an Act passed in the Parliament of Great Britain in the twelfth year of the Reign of His Majesty King George the First, entitled "An Act to prevent frivolous and vexatious arrests," and that the Bill be engrossed and read a third time on Monday next.

On which a division took place, and the same was carried in the affirmative.

And it was ordered accordingly.

Mr. Sheriff Macdonell and Capt. Elliott reported that they had waited upon the Honorable Legislative Council and informed that the House concurred in the amendments made by them to the Bill for the further regulation of the Militia of this Province.

Mr. Sherwood moved, seconded by Capt. Elliott, for leave to bring in now a Bill to fix the times of holding the Courts of General Quarters Session of the Peace, in the several Districts in this Province.

And leave was granted.

Mr. McCrae moved, seconded by Mr. Swayzie, that the said Bill be now read the first time.

It was read the first time accordingly.

Then Mr. McCrae moved, seconded by Mr. Weager, that the Bill to fix the times of holding the Courts of General Quarter Sessions of the Peace in the several Districts in this Province be now read the second time. It was ordered accordingly.

And the Bill was read the second time.

Mr. Rogers moved, seconded by Mr. Clench, that the House do now resolve itself into Committee of the Peace in the several Districts in this Province.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Beasley took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Beasley reported that the Committee had gone through the consideration of the said Bill without any amendments.

Which report was accepted.

On motion of Mr. Clench, seconded by Mr. Sherwood,

Ordered, that the said Bill be now read a third time.

Ordered accordingly.

And the said Bill was read a third time, which passed and was signed by Mr. Speaker.

Mr. Rogers, seconded by Mr. Clench, moved that Mr. Sherwood and Mr. Sheriff Macdonell do carry up this Bill to the Honorable Legislative Council and request their concurrence.

It was ordered accordingly.

And then, on motion of Mr. Rogers, seconded by Mr. Clench,

The House resolved itself into Committee on the Public Accounts.

Mr. Speaker left the Chair.

Mr. Beasley took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Beasley reported that the Committee had made a progress, and asked leave to sit again.

And leave was granted.

On motion of Mr. Beasley, seconded by Mr. Sherwood, on Monday forenoon.

And then the House adjourned till Monday next.

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*Monday, 29th June 1801.*

Prayers were read.

Mr. Thompson moved, seconded by Mr. A. Macdonell, that so much of the usage of this House be dispensed with as requires a previous notice of bringing in a Bill, and that leave be now given to bring in a Bill to ratify the Provisional Agreement with Lower Canada.

On which a division took place, and the names were taken down as follows:—

**YEAS.**

**NAYS.**

MESSRS. SOLICITOR GENERAL  
THOMPSON  
SHERWOOD  
CAPT. ELLIOTT  
SHERIFF MACDONELL  
BUELL  
WASHBURN  
CAPT. McKEE  
McCRAE &  
MACDONELL

MESSRS. BEASLEY  
ROGERS  
WEAGER  
FERGUSON  
NELLES &  
CLENCH

The same was carried in the affirmative by a majority of four, and leave was granted and the said Bill was read the first time.

Mr. Ferguson moved, seconded by Mr. Clench, That this Bill be read a second time on Wednesday next.

Which was carried in the negative.

And then Mr. Rogers, seconded by Mr. Clench, moved that the Bill be read a second time this day three months.



And the question being thereupon put, the House divided and the names were taken down as follows:—

## YEAS.

MESSRS. BEASLEY  
ROGERS  
WEAGER  
FERGUSON  
NELLES &  
CLENCH

## NAYS.

MESSRS. SOLICITOR GENERAL  
THOMPSON  
SHERWOOD  
ELLIOTT  
SH'FF MACDONELL  
BUELL  
McKEE  
A. MACDONELL &  
McCRAE

The same was passed in the negative by a majority of four.

Then Mr. Thompson, seconded by Mr. Angus Macdonell, moved that this Bill be read a second time this day.

A division took place, and the same was carried in the affirmative.

And the said Bill was read a second time accordingly.

Then Mr. Thompson, seconded by Capt. Elliott, moved that the House do now resolve itself into Committee to take this Bill into consideration.

And the House resolved itself into Committee.

Mr. Speaker left the Chair.

Capt. Elliott was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Capt. Elliott reported that the Committee had gone through the consideration of the said Bill and had directed him to report the same without any amendment.

Which report was accepted.

And then Mr. Rogers moved, seconded by Mr. Swayzie, that the Bill be read a third time this day three months.

And then Mr. Sol'r Gene'l moved an amendment, seconded by Mr. Sherwood, that instead of "this day three months" be inserted "read this day."

On the question being put, a division thereupon took place, and the names were taken down and are as follows:

## Yeas.

MESSRS SOLICITOR GENERAL  
THOMPSON  
ELLIOTT  
SHERWOOD  
SHERIFF MACDONELL  
BUELL  
WASHBURN  
MACDONELL  
McKEE &  
McCRAE

## Nays.

MESSRS FERGUSON  
BEASLEY  
WEAGER  
ROGERS  
CLENCH  
SWAYZIE &  
NELLES

The motion as amended was carried by a majority of three.

And the Bill was then read a third time, passed and signed by Mr. Speaker.

Then Mr. Thompson, seconded by Mr. Solicitor General, moved that the same messengers that are appointed to carry up the Bill for regulating the Court of Quarter Sessions do carry up this Bill to the Honorable Legislative Council and request their concurrence.

Ordered accordingly.

Mr. Weager, seconded by Mr. Thompson, moved that previous to the order of the day for the third reading of the Bill entitled "An Act for the more easy apprehending absconding Debtors, and to repeal certain parts of an Act passed in the Parliament of Great Britain in the twelfth year of the Reign of His Majesty King George the First entitled "An Act to prevent frivolous and vexatious arrests," the word "forty" before the word "shillings" be expunged, and the word "five" inserted in lieu thereof.

The said motion was carried in the negative.

Then the Bill passed and was signed by Mr. Speaker.

Mr. Solicitor General, seconded by Mr. McCrae, moved that Mr. Ferguson and Mr. Swayzie be a Committee to carry up the Bill now passed to the Honorable Legislative Council, and to request their concurrence therein.

It was ordered accordingly.

Mr. Sherwood, seconded by Mr. Thompson, moved that so much of the usage of the House be dispensed with as requires a previous notice to bring in a Bill, and that leave be given now to bring in a Bill to grant to His Majesty a sum of money out of the Provincial Funds to pay the officers of the two Houses and the contingent expenses thereof, and to provide for their future payment, and also to pay the Commissioners to Lower Canada.

Leave was granted, and the said Bill was read the first time.

Mr. Sherwood, seconded by Mr. Solicitor General, moved that the said Bill be now read a second time.

It was ordered accordingly.

Mr. Sherwood, seconded by Mr. A. Macdonell, moved that the House resolve itself into Committee to take the said Bill into consideration.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Capt. McKee reported the Bill without any amendment.

Which report was accepted.

Mr. Ferguson, seconded by Mr. Washburn, moved an amendment to the said Bill by inserting after the words "the two Commissioners to Lower Canada" that in lieu of one hundred pounds each the sum of one hundred and fifty pounds each be inserted.

The said motion was carried in the negative.

Mr. Sherwood, seconded by Mr. Ferguson, moved for the third reading of the Bill.

The Bill was accordingly read the third time, passed, and signed by Mr. Speaker.

Mr. Sheriff McDonell, seconded by Mr. Sherwood, moved that Mr. Solicitor General and Mr. Washburn be a Committee to carry this Bill up to the Honorable Legislative Council and request their concurrence thereto.

Ordered accordingly.

Mr. Sherwood, seconded by Mr. McCrae, moved that the House resolve itself into a Committee to take into further consideration the Bill for laying duties on goods coming from the United States.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Macdonell took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported a progress, and asked leave to sit again this day.

And leave was granted.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

The Honorable Legislative Council have commanded me to inform this Honorable House that they have passed a Bill entitled "An Act to allow time for the sale of lands and tenements by the Sheriff" to which they desire the concurrence of this House; and to inform this House that the Honorable Legislative Council had passed the Bill sent up to them to remove doubts with respect to the authority under which the Courts of General Quarter Sessions of the Peace and other Courts have been erected.

And then withdrew.

The Bill from the Honorable Legislative Council was read the first time.

Mr. Ferguson, seconded by Capt. Elliott, moved that the said Bill be read a second time to-morrow.

It was ordered accordingly.

The Speaker left the Chair.

Mr. Macdonell again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Macdonell reported that the Committee had gone through the consideration of the said Bill without any amendments.

Which Report was accepted.

Then Mr. Thompson, seconded by Mr. Ferguson, moved that the said Bill be engrossed and read a third time on Wednesday.

Ordered accordingly.

Capt. McKee, seconded by Mr. Thompson, moved that the thanks of this House be given to Mr. Angus Macdonell for his services while Clerk of it, and that the same be communicated by the Speaker.

Thereupon a division took place, and the names were taken down as follows:

Yeas.

Nays.

MESSRS A. MACDONELL  
SOLICITOR GENERAL  
SHERWOOD  
SHERIFF MACDONELL  
ELLIOTT  
McKEE  
FERGUSON

MESSRS BEASLEY  
NELLES  
SWAYZIE  
WEAGER  
McCRAE  
ROGERS  
WASHBURN  
THOMPSON  
BUELL

The same was carried in the negative by a majority of two.

Mr. Washburn, seconded by Mr. Clench, moved for leave to bring in to-morrow a Bill to ascertain the power of the Poundkeeper respecting the authority



given him by an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large."

And leave was granted.

Mr. Rogers moved, seconded by Mr. Clench, that it is the opinion of this House that Angus Macdonell, Esq., hath faithfully performed his duty while he was Clerk of this House, and that he was not dismissed from his office for any irregularity in his conduct as Clerk.

On the question being put a division took place, and the names were taken down as follows:

## Yeas.

MESSRS WASHBURN  
ROGERS  
CLENCH  
SWAYZIE  
NELLES  
FERGUSON  
WEAGER  
ELIOTT  
McKEE  
SHERIFF MACDONELL  
A. MACDONELL  
McCRAE  
BEASLEY.

## Nays.

MESSRS SOLICITOR GENERAL  
SHERWOOD  
THOMPSON  
BUELL

The same was carried by a majority of nine.

Then Mr. Rogers moved, seconded by Mr. Clench, that this Resolution be communicated to Mr. Macdonell by the Speaker.

It was ordered so accordingly.

And then on motion of Mr. Rogers, seconded by Mr. Swayzie,

The House adjourned.

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*30th June 1801.*

Prayers were read.

Agreeable to the Order of the Day was read the first time a Bill to ascertain the Power of the Poundkeeper respecting the authority given him by an Act passed in the thirty fourth year of His Majesty's Reign.

On motion of Mr. Washburn, seconded by Mr. Swayzie, the said Bill was read a second time.

On motion of Mr. McCrae, seconded by Mr. Weager,  
The House resolved itself into Committee upon the said Bill.

Mr. Speaker left the Chair.

Mr. McCrae was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. McCrae reported progress and asked for leave to sit again.

And leave was granted.

Read a second time the Bill from the Honorable Legislative Council to allow time for the sale of lands and tenements by the Sheriff.

Mr. Ferguson moved, seconded by Mr. Rogers, that the House do now resolve itself into Committee to take into their consideration the Bill to allow time for the sale of lands and tenements by the Sheriff.

And the House resolved itself into Committee thereupon.

Mr. Speaker left the Chair.

Mr. Nelles was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Nelles reported that the Committee had made some progress, and that he was directed to ask leave to sit again this day.

And leave was accordingly granted.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this Honorable House that the Legislative Council have concurred in passing without any amendment a Bill entitled "An Act to ratify and approve and confirm certain Provisional Articles of Agreement" entered into between this Province and the province of Lower Canada.

I am further commanded to inform you that the Honorable Legislative Council have passed a Bill entitled "An Act to prevent Acts of the Legislature from taking effect from a time prior to the passing thereof," and to request the concurrence of this Honorable House.

And then withdrew.

On motion of Mr. Rogers, seconded by Mr. Swayzie,

Ordered, That the Bill now sent down by the Honorable Legislative Council entitled "An Act to prevent Acts of the Legislature from taking effect from a time prior to the passing thereof" be now read the first time.

And the said Bill was read the first time.

Then Mr. Rogers moved, seconded by Mr. Swayzie, that the said Bill be read the second time to-morrow.

It was ordered accordingly.

Mr. Nelles was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Nelles reported that the Committee had gone through the consideration of the Bill to allow time for the sale of Lands and Tenements by the report to the House whenever it would be pleased to receive the same.

Ordered, That the Report be now received, and the amendments be engrossed.

And then Mr. Beasley moved, seconded by Mr. Ferguson, for leave to bring in this day a Bill to declare and fix the fees of the Clerk of the Peace in this Province.

Leave was granted.

And the said Bill was read the first time.

Then on motion of Mr. Beasley, seconded by Mr. Swayzie,

Ordered, that the said Bill be now read a second time.

It was accordingly read a second time.

On motion of Mr. Swayzie, seconded by Mr. Beasley,

Ordered, That this House do now resolve itself into Committee on the further consideration of the said Bill to declare and fix the fees of the Clerk of the Peace in this Province.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Beasley was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Beasley reported a progress and asked for leave to sit again.

And leave was granted.

Mr. McCrae moved, seconded by Mr. Swayzie, that this House do now resolve itself into Committee to take into their further consideration the Bill for ascertaining the side lines of the different Townships on the River Thames.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported that it was the opinion of the Committee that the further consideration of the said Bill should lie over until the next Session of the Provisional Parliament.

It was ordered accordingly.

And then on motion of Mr. Rogers, seconded by Mr. Swayzie,

Ordered, That the Bill to allow time for the sale of lands and tenements by the Sheriff, as amended, be now read a third time.

Ordered, accordingly, and the same was read a third time, passed, and signed by Mr. Speaker.

Then Mr. Macdonell moved, seconded by Mr. Swayzie, that this House do now adjourn.

And the House adjourned accordingly.

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*Wednesday, 1st July 1801.*

Prayers were read.

According to the Order of the Day, the House resolved itself into Committee on the Bill to fix the fees of the Clerk of the Peace.

Mr. Speaker left the Chair.

Mr. Beasley was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Beasley reported a progress, and asked for leave to sit again this day.

And leave was accordingly granted.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this Honorable House that they have concurred and passed the Bill entitled "An Act for granting to His Majesty a certain sum of money out of the Provincial Fund to defray the payment of the salaries of the officers of the House of Legislative Council and House of Assembly (including the Commissioners to Lower Canada) and to defray the contingent expenses thereof, and further to appropriate the surplus and provide for the payment of the same hereafter."

Mr. Speaker left the Chair.

Mr. Beasley was called again to the Chair of the Committee.

Mr. Speaker resumed the Chair.



And Mr. Beasley reported a progress on the Bill to fix the fees of the Clerk of the Peace, and asked leave to sit again this day.

And leave was granted.

A Message from the Honorable Legislative Council, by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this Honorable House that they have passed an Act to declare and establish what shall be deemed and taken to be the Public Road throughout this Province, and to return a Bill entitled "An Act for the more easy apprehending absconding debtors," with amendments, and desire the concurrence of this House to the said amendments.

And then withdrew.

Mr. Speaker left the Chair.

Mr. Beasley again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Beasley reported progress and asked leave to sit again.

And leave was granted.

Mr. Sheriff Macdonell moved, seconded by Mr. Swayzie, that Mr. Rogers and Mr. Thompson do carry up to the Legislative Council the Bill to allow time for the sale of Lands and Tenements by the Sheriff, as amended, and request their concurrence.

Mr. Rogers reported that they had carried up the said Bill and requested their concurrence.

Mr. Rogers, seconded by Mr. McCrae, moved that the Bill to prevent Acts of the Legislature from taking effect from a time prior to the passing thereof be read a second time.

It was ordered accordingly, and was read the second time.

On motion of Mr. Clench, seconded by Mr. Thompson,

The House resolved itself into Committee on the Bill for fixing the time when the Law shall take effect.

Mr. Speaker left the Chair.

Mr. Sherwood was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Sherwood reported a progress and asked leave to sit again this day.

And leave was granted.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this Honorable House that they request a conference with this House on the consideration of the Bill returned to them with amendments made by this House, entitled "An Act to allow time for the sale of Lands and Tenements by the Sheriff."

And then withdrew.

Mr. Rogers, seconded by Capt. Elliott, moved that Mr. Sheriff Macdonell, Mr. Thompson and Mr. Solicitor General be a Committee to confer with the Honorable Legislative Council on the Bill for allowing time for the sale of Lands and Tenements by the Sheriff.

Mr. Ferguson moved, seconded by Capt. Elliott, that Messrs. Sherwood and Beasley be added to the Committee to concur with the Honorable Legislative

Council on the Bill to allow time for the sale of Lands and Tenements by the Sheriff.

The same was carried in the negative.

Mr. Speaker left the Chair.

Mr. Sherwood was called again to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Sherwood reported a progress and asked leave to sit again this day.

And leave was granted.

On motion of Mr. Sherwood, seconded by Mr. Rogers,

The House resolved itself into Committee on the Bill to alter the practice of the Court of King's Bench, as amended by the Honorable Legislative Council.

Mr. Speaker left the Chair.

Mr. Washburn was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Washburn reported from the Committee that it was their wish that a conference be had with the Honorable Legislative Council on the amendments made by them to the Bill for altering the practice in the Court of King's Bench.

Which Report was accepted, and a conference was ordered to be requested.

Mr. Rogers moved, seconded by Mr. Swayzie, that the Bill entitled "An Act to declare and establish what shall be deemed Public Roads in this Province," be now read a first time.

It was read accordingly the first time.

Mr. McCrae moved, seconded by Mr. Weager, that the House do now resolve itself into Committee on the Bill for apprehending absconding debtors, as returned from the Honorable Legislative Council with amendments made by them.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Nelles was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Nelles reported that the Committee had gone through the consideration of the amendments made by the Honorable Legislative Council, which he was desired to report whenever the House was disposed to receive the same.

Resolved, That the said Report be now accepted.

And the said Bill as amended passed, and was signed by Mr. Speaker.

Mr. Sherwood moved, seconded by Mr. Rogers, that the order for requesting a conference on the amendments made to a Bill to alter the practice of the Court of King's Bench be discharged.

Ordered accordingly.

Mr. Sherwood moved, seconded by Mr. Swayzie, that the Bill to alter the practice in the Court of King's Bench do pass as amended by the Legislative Council.

And the same passed accordingly, and was signed by Mr. Speaker.

Mr. Rogers moved, seconded by Mr. Clench, that Mr. Beasley and Mr. Weager be a Committee to carry up the said Bill to the Honorable Legislative Council, and inform them that this House had concurred in the amendments made by them to the said Bill.

The Committee of conference with the Honorable Legislative Council on the Bill to allow time for the sale of lands by the Sheriff reported that the Honorable Legislative Council object to the amendments of the Honorable House of Assembly, because it makes no alteration in the law as it now stands and is mere surplusage.

Then Mr. Speaker put the question, Shall this Bill pass as amended by the House.

Upon which the House divided, and the numbers being equal Mr. Speaker gave his vote for the Bill to pass without the amendment, and it passed accordingly.

Agreeable to the Order of the Day was read a third time the engrossed Bill for laying duties on articles imported from the United States, entitled "An Act for granting to His Majesty His Heirs and Successors, to and for the use of this Province, the like duties on goods and merchandise brought into this Province from the United States of America as are now paid on goods and merchandise imported from Great Britain and other places."

On the question being thereupon put a division took place, and the names were taken down as follows.

## Yeas

MESSRS FERGUSON  
BUELL  
SHERWOOD  
SHERIFF MACDONELL  
WASHBURN  
McCRAE  
THOMPSON  
SWAYZIE

## Nays

MESSRS WEAGER  
NELLES  
ROGERS  
CLENCH  
BEASLEY

The same was carried in the affirmative by a majority of three, and the Bill passed and was signed by Mr. Speaker.

Mr. Washburn moved, seconded by Mr. Swayzie,

That the consideration of the Pound Bill be deferred for another year.

It was ordered accordingly.

Mr. Solicitor General moved, seconded by Mr. Thompson, That Messrs Sherwood, Ferguson and Washburn be a Committee to wait on the Honorable Legislative Council, and inform them that this House do agree to withdraw the amendments made to the Bill to give time for the sale of lands in this Province, and that the same messengers do carry up this Bill for their concurrence for laying duties on goods coming into the Province from the United States.

Ordered accordingly.

Mr. Rogers, seconded by Mr. Clench, moved that this House do now resolve itself into Committee on the Bill to prevent Acts of the Legislature from taking effect from a time prior to the passing thereof.

Mr. Speaker left the Chair.

Mr. Sherwood took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Sherwood reported that the Committee had gone through the consideration of the said Bill as sent down by the Honorable Legislative Council without any amendments.

Which Report was accepted, and the Bill passed and was signed by Mr. Speaker.



Mr. Beasley, seconded by Mr. Nelles, moved that the consideration of a Bill for regulating the fees for Clerks of the Peace and foreigners in this Province be deferred till the next session of Parliament.

Ordered accordingly.

On motion of Mr. Beasley, seconded by Mr. Swayzie,  
The House adjourned.

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*Thursday 2nd July 1801.*

Present Mr. Speaker, Messrs Rogers and Swazey,

Mr. Speaker adjourned the House for want of a Quorum.

About eleven o'clock the House met, and the minutes of yesterday being read.

Mr. Rogers moved, seconded by Mr. Weager, that the Bill sent down by the Honorable Legislative Council entitled "An Act to declare and establish what shall be deemed and taken to be the Public Roads throughout this Province," be now read a second time.

It was read accordingly a second time.

The House resolved itself into Committee on the said Road Bill.

Mr. Speaker left the Chair.

Mr. Buell was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Buell reported that the Committee had gone through the consideration of the Bill to declare what shall be deemed and taken to be Public Roads in this Province, with amendments.

Which Report was accepted.

Then Mr. Rogers, seconded by Mr. Weager, moved that Mr. Sherwood and Mr. Thompson do carry up the Bill to declare the time for the law to take effect as amended to the Honorable Legislative Council, and request their concurrence.

Capt. Elliott moved, seconded by Mr. Sherwood, for leave of absence till the end of this Session.

And leave of absence was accordingly given.

On motion of Mr. Nelles, seconded by Mr. Swayzie,  
The House adjourned.

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*Friday 3rd July 1801.*

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery,

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this Honorable House that they passed the Bill entitled "An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province, the like duties on goods and merchandize brought into this Province from the United States of America, as are now paid on goods and merchandize imported from Great Britain and other places.

And then withdrew.

Mr. Ferguson moved, seconded by Mr. Rogers, that the amendments to the Bill entitled "An Act to declare and establish what shall be deemed or taken to be the Public Roads throughout this Province" be rejected, and that the Bill pass without amendment.

The question being put, the House divided, and the names were taken down and are as follows.

## Yeas

MESSRS SOLICITOR GENERAL

NELLES

SWAYZIE

McCRAE

BEASLEY

FERGUSON

ROGERS

SHERWOOD

CLENCH

## Nays

MR. SH'F MACDONELL

A. MACDONELL

WEAGER

BUELL

And the same was carried in the affirmative by a majority of five.

Mr. Rogers, seconded by Mr. Swayzie, moved that Mr. Ferguson and Mr. McCrae do carry this Bill up to the Legislative Council and inform them that this house have concurred in the passing of the same without any amendments.

Mr. Ferguson reported that they carried up to the Honorable Legislative Council the said Bill.

Mr. Sheriff Macdonell moved, seconded by Mr. Angus Macdonell, that so much of the usage of this House be dispensed with and that leave be given him now to bring in a Bill to empower the Governor, Lieut. Governor or person administering the Government, to grant a bounty on all hemp the produce of this Province.

And leave was accordingly granted.

And the said Bill was read the first time.

Mr. Sheriff Macdonell, seconded by Mr. Solicitor General, moved that this Bill be now read a second time.

And the said Bill was read the second time.

Mr. Sheriff Macdonell moved, seconded by Mr. A. Macdonell, that the House do now resolve itself into Committee to take this Bill into consideration.

And the House resolved itself into Committee accordingly on the Bill entitled "An Act to enable His Majesty to grant a bounty on hemp, the produce of this Province."

Mr. Speaker left the Chair.

Mr. Macdonell was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Macdonell reported that the Committee had gone through the consideration of the said Bill with amendments.

Which report was accepted.

Then Mr. Solicitor General moved, seconded by Mr. Weager, that the Bill be engrossed and read a third time to-morrow.

Ordered accordingly.

Mr. Rogers moved, seconded by Mr. Solicitor General, that the House do now resolve itself into Committee to take into their further consideration the Public Accounts of this Province.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Swayzie reported, that the Committee had examined the Public Accounts, and that he was ordered to report as follows.

In a Committee of the Whole House

Friday 19th June 1801.

Mr. Thompson in the Chair.

The Committee took up and read the following accounts.

The Receiver General's Account

for duties received under Provincial Acts between 10th June 1799 & 7th June 1800, wherein there appears to be a balance in the Treasurer's hands of £402. 4. 5¼.

The Receiver General's Account

current for duties under Provincial Acts between 7th June and

27th May 1801, in which is

brought forward the above

balance of £402. 4. 5¼,

making a balance in the Receiver General's hands

3069. 1. 1¼.

N. B. This account includes duties

from Lower Canada between 5th January 1800

and 5th January 1801, £1,003. 13. 4¼. 1-10.

which the Receiver General states he is not

sure is correct for want of letter of advice exclusive

of this £3,069. 1. 1¼ 1-10.

There is by the List of persons

licensed to keep stills for the year

ending 5th April 1801, £253. 5. 3 3-4.

By Revenue collected on Tavern and Shop

licenses for the year ending 5th April 1801

111. 0. 0.

364. 5. 3¾.

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£3433. 6. 5.

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The Receiver General states that the Secretary has to account for 84 Still Licenses and

90 Shop Licenses To expire 5th April 1801.

60 Shop and Tavern Licenses " " 5th April 1801.

Mr. Secretary Jarvis accounts for only 51 Still

Licenses and 111 Shop and Tavern Licenses To 5th April 1801.

But no account is rendered by the Still, Shop and Tavern Licenses issued after 5th April 1801, and to expire 5th April 1802, so that it appears that the Secretary has 33 Still Licenses to account for to 5th April 1801.

The Committee observe that there is a resolution of a Committee of the Whole House, soon after its meeting at this session, that the whole of the money raised upon shop and tavern licenses, amounting to three pounds each, is applicable to the express purpose of defraying the salaries of the Officers and the Committee



observe that the Receiver General has credited only one pound of the above three pounds as raised under Provincial Statute, so that the last and present year there appears to be £2. in addition to each shop and tavern license to be looked for.

The Committee then took up the Petition of Angus Macdonell Esquire, stating that considerable arrears are due him as Clerk of this House.

And the Committee, upon reference to what appears to be due for the last Session of Parliament finding that there are arrears also due to several of the Officers of both Houses, and other persons, are of opinion that there is due for the following services.

For services rendered previous to the present Session of Parliament.

The Clerk of the Legislative Council	145.	0.	0.
Black Rod	50.	0.	0.
Master in Chancery	50.	0.	0.
Chaplain of the Legislative Council	30.	0.	0.
Doorkeeper of the Legislative Council	20.	0.	0.
Speaker of the House of Assembly	200.	0.	0.
	<hr/>		
	495.	0.	0.
The late Clerk of the House of Assembly as above stated	300.	0.	0.
Serjeant At Arms	50.	0.	0.
Do. Contingent expenses	5.	15.	0.
Chaplain of the House of Assembly	30.	0.	0.
Doorkeeper	20.	0.	0.
Printing the Niagara Postage Bill	4.	10.	0.
Two Commissioners for Lower Canada.	200.	0.	0.
	<hr/>		
	1105.	5.	0.

And for the services of the present session as follows.

The Clerk of the Legislative Council	125.	0.	0.
Black Rod	50.	0.	0.
Master in Chancery	50.	0.	0.
Chaplain	50.	0.	0.
Doorkeeper	20.	0.	0.
Speaker of the House of Ass'y	200.	0.	0.
Clerk of the House of Assembly	125.	0.	0.
Serjeant at Arms	50.	0.	0.
Chaplain	50.	0.	0.
Doorkeeper	20.	0.	0.
Copying Clerk to Legislative Council £25			
Do. to House of Assembly £25	50.	0.	0.
Printing the Laws of the present Session	250.	0.	0.
Printing Journals of do	50.	0.	0.
Furniture for House of Assembly	60.	0.	0.
	<hr/>		
	2255.	5.	0.

The Committee do humbly recommend to the House that a supply be granted to His Majesty of the above sum.

The Committee advise that the proper steps be taken by Mr. Speaker for printing the Journals of this Session, and that the House do recommend some person to him for that purpose, and that he be licensed to print the same exclusively in the usual manner.

As well as for procuring the furniture of which our estimate has been approved of £60.

For this purpose the usual Address to His Excellency is submitted.  
25th June.

The Committee met pursuant to agreement.

The Committee observe that in the list of Stills and of Tavern and Shop Licenses it is noted that no returns have been yet received from the Secretary's Agent in the Eastern District for the year ending 5th April 1801.

The Committee observe from the information of several of its members that several persons keep taverns and shops who are not on the lists, and they have reason to believe that Stills are also in use which are not licensed.

The Committee recommend that so much of this Report as relates to the Receiver General and the Secretary be respectively communicated to them.

3rd July.

Mr. Swayzie in the Chair.

The Committee met pursuant to leave again, and agreed to report finally with a desire to have this Report verbatim on the Journals of this House.

(Signed) Isaac Swayzie,  
Chairman.

Which Report was accepted and ordered accordingly.

Mr. Ferguson moved, seconded by Mr. Swayzie, that Mr. McCrae, Mr. Beasley, and Mr. Nelles have ten days of absence.

And leave was granted.

Mr. Rogers moved, seconded by Mr. Ferguson, That the Address to His Excellency the Lieutenant Governor as reported by the Committee on Public Accounts be now read.

It was read accordingly, and is as follows,

To His Excellency Peter Hunter, Esquire,  
Lieutenant Governor of the Province of Upper  
Canada, & Lieutenant General Commanding  
His Majesty's Forces in the Provinces of  
Upper and Lower Canada.

May it please Your Excellency:—

The House of Assembly having resolved that an humble Address be presented to Your Excellency that Your Excellency may be pleased (in addition to the salaries of the Officers of the two Houses) to issue your Warrant to the Speaker of the House of Assembly,—your Warrant for Twenty five Pounds to the Clerk of the Legislative Council for copying clerks,—your Warrant for Twenty Five Pounds to the Clerks of the House of Assembly for copying clerks,—your Warrant not exceeding Two hundred and fifty Pounds for printing the laws of this Session, and your Warrant to the Speaker for fifty Pounds for printing the Journals of this Session.

Therefore we the Commons of Upper Canada in Assembly met take the liberty of requesting Your Excellency to issue the above warrants, this House having taken the necessary steps for making good the same.

And we Your Majesty's faithful Commons Humbly pray Your Excellency that fifty copies of the several Acts of this Session be sent to the respective Members, to be generally distributed among the several officers in the respective Counties.

On motion of Mr. Swayzie, seconded by Mr. Nelles,  
The House adjourned.

Commons House of Assembly  
3rd July 1801.

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*Saturday 4th July 1801.*

Prayers were granted.

Mr. Macdonell, Member for the Counties of Durham, Simcoe and East Riding of York, appeared at the Bar of the House to be admitted to his seat, on which he produced the indentures interchangeably entered into by Duncan Cameron, James Odell Roche, John Lyon and Thomas Hill, Freeholders in the Counties of Durham, Simcoe and East Riding of York, and William Allan, Returning Officer for the said Counties and Riding, which by order of Mr. Speaker the Clerk read at the Table.

And then The Speaker commanded the Serjeant at Arms to go and inform William Jarvis Esq. one of the Commissioners by Dedimus Potestatem to administer the Oath to the Members of the House of Assembly, and to request his attendance with the Roll signed by the Members of this House.

Mr. Swayzie moved, seconded by Mr. Weager, that Mr. Ferguson and Mr. Sherwood do wait on His Excellency the Lieutenant Governor with the Address from this House.

It was ordered accordingly.

Mr. Jarvis came to the Bar of this House and there did inform Mr. Speaker that Mr. Macdonell did take the oath as prescribed by the Statue and did sign the Roll.

Then David M. G. Rogers and Ralph Clench, Esquires, introduced Angus Macdonell, Esquire, Knight, representing the Counties of Durham, Simcoe and East Riding of York, and took his seat.

Mr. Angus Macdonell of York moved, seconded by Mr. Rogers, that the Order of the Day for the third reading of the Bill to enable His Majesty to grant a bounty on hemp, the produce of this Province, be discharged, and that the said Bill be recommitted.

It was ordered, and the House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. A. Macdonell, Glengarry, was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported that the Committee had gone through the consideration of the said Bill with amendments.

Which report was accepted.



And Mr. A. Macdonell, Glengarry, moved, seconded by Mr. Rogers, that as an amendment after the word "deputy" be inserted "or deputies."

Which amendment was adopted.

Mr. Rogers moved, seconded by Mr. Swayzie, that in the fifty clause after the word "proper" be inserted "to distribute the same."

Which amendment was agreed to.

Then Mr. Rogers moved, seconded by Mr. Clench, that the Bill as now amended be engrossed.

Ordered accordingly.

The engrossed Bill to enable His Majesty to grant a bounty on hemp was read a third time, passed and signed by Mr. Speaker.

Mr. Clench moved, seconded by Mr. Swayzie, that Mr. Rogers and Mr. Angus Macdonell, of York, do carry up to the Honorable Legislative Council the Bill for allowing His Majesty to grant a bounty on hemp the produce of this Province, and request their concurrence thereto.

Mr. Rogers and Mr. Angus Macdonell, of York, reported that they had carried up to the Honorable Legislative Council the Bill for allowing a bounty on hemp the produce of this Province.

On motion of Mr. Swayzie, seconded by Mr. Weager,

The House adjourned until Monday next.

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*Monday, 6th July 1801.*

Prayers were read.

Mr. Rogers, seconded by Mr. Swayzie, moved that the House do now adjourn until one o'clock this afternoon.

And the House adjourned accordingly.

The House met pursuant to adjournment.

Mr. Ferguson and Mr. Sherwood reported that they had waited upon His Excellency the Lieutenant Governor with the Address of this House as ordered, and that having delivered the same His Excellency was pleased to return the following answer:

Gentlemen,

I shall always be happy to comply with the requests of the House of Assembly. I shall therefore issue my Warrants in the way that the Constitution directs for the purposes stated in the Address, and I shall order the number mentioned of the copies of the Acts of this Session to be sent to the respective Members.

York, 6th July, 1801.

Mr. Angus Macdonell of York, seconded by Mr. Clench, moved that an humble Address be presented to His Excellency the Lieutenant Governor, beseeching him to withhold the Royal assent from the Bill entitled "An Act to allow time for the sale of Lands and Tenements by the Sheriff," the Commons having good ground to believe that the same will be productive of much evil to the country.

Upon which Mr. Washburn, seconded by Mr. Ferguson, moved that as the motion contained new matter it was contrary to the rules of the House to proceed thereon without a day's previous notice.

Which motion was carried in the negative.

Upon which Mr. Angus Macdonell of York, seconded by Mr. Clench, moved that the rule of the House in such respect be in the present instance dispensed with.

Thereupon the question having been put, the question was carried in the affirmative.

After which the main question was put, when a division ensued, and the names being called for they were taken down and are as follows,

Yeas	Nays
Messrs. MACDONELL, York	Messrs SHERWOOD
MACDONELL, Glengarry	SHERIFF MACDONELL
CLENCH	WEAGER
SWAYZIE	WASHBURN
BUELL	FERGUSON
	THOMPSON

The same passed in the negative by a majority of one.

Mr. Sheriff Macdonell, seconded by Mr. Macdonell of Glengarry, moved that the contingent accounts of the Clerk of the House be laid before the House, and that the House do now resolve itself into Committee thereon.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Angus Macdonell of York was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Angus Macdonell of York reported a progress, and requested leave to sit again this day.

Leave was accordingly granted.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this House that they have passed the Bill for allowing His Majesty to grant a bounty on hemp, the produce of this Province, with some amendments, to which amendments they request the concurrence of the House of Assembly.

And then withdrew.

Mr. Clench moved, seconded by Mr. Ferguson, that the Bill for allowing His Majesty to grant a bounty on hemp, the produce of this Province, sent down from the Honorable Legislative Council with amendments, be read this day three months.

And it was so ordered accordingly.

Mr. Angus Macdonell of York, seconded by Mr. Swayzie, moved for leave to bring in this day a Bill to encourage the growth of hemp.

Whereupon the question having been put, the House divided, and the names were taken down as follows:—

Yeas	Nays
MESSRS. A. MACDONELL, York.	MESSRS WASHBURN
MACDONELL, Glengarry.	WEAGER
SHERIFF MACDONELL	SHERWOOD
SWAYZIE	CLENCH
	BUELL

And the same passed in the negative by a majority of two.

Mr. Sheriff Macdonell, seconded by Mr. Ferguson, moved for leave to bring in to-morrow a Bill to empower the Governor, Lieutenant Governor, or person administering the Government, to grant certain bounties on the culture of hemp, and to provide for the purchase of seed.

Whereupon the question having been put, the same passed in the negative.

Then Mr. Angus Macdonell of York, seconded by Mr. Swazie, moved that an humble address be presented to His Excellency the Lieutenant Governor praying him to apply a sum of money not exceeding two hundred and fifty pounds out of the unappropriated funds which now are in the Provincial Treasury, or may in the course of this year be paid into the same for the purpose of purchasing and distributing gratis among the farmers of this Province hemp seed, and a further sum of money not exceeding five hundred pounds to be laid out in premiums and bounties to the cultivators of hemp in such manner as he shall think fit. Which sums of money this House will make good during the next Session of Parliament.

And it was ordered accordingly unanimously.

And then Mr. Sherwood, seconded by Mr. Clench, moved that the House do now resolve itself into Committee to take into consideration the draught of the Address to His Excellency the Lieutenant Governor.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Weager was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Weager reported that the Committee had gone into the consideration of the said Address and had directed him to report a draught thereof.

Which report was accepted, and the draught of the said Address was read and is as follows,

To His Excellency Peter Hunter, Esq.,  
Lieutenant Governor of the Province  
of Upper Canada, and Lieutenant  
General Commanding His Majesty's  
Forces in the Provinces of Upper and  
Lower Canada, &c.

May it please Your Excellency,

We, His Majesty's most dutiful and loyal subjects the Commons of Upper Canada in Parliament met, having resolved that an humble Address be presented to Your Excellency praying that a sum of money not exceeding two hundred and fifty pounds be applied out of the unappropriated funds which now are in the Provincial Treasury, or may in the course of the present year be paid into the same, for the purpose of purchasing and distributing gratis among the farmers of this Province hemp seed; and a further sum of money not exceeding five hundred pounds to be laid out in premiums and bounties to the deserving cultivators and exporters of hemp in such manner as in Your Excellency's wisdom shall seem meet: which sums of money the Commons will make good during the next Session of Parliament.

We therefore pray that it may please Your Excellency favorably to approve of this the resolution of the Commons, and that Your Excellency will be pleased to cause the same to be carried into effect as Your Excellency shall in your discretion see fit.



Resolved, That the said Address be agreed to and that the same be engrossed.  
Ordered accordingly.

Mr. Speaker left the Chair.

Mr. Angus Macdonell of York again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell of York reported that the Committee had taken up the accounts of James Clerk Esq. Clerk of the Legislature with the following items.

Stationery	£12.		
The Committee think as a proper sum for stationery for next year and to be hereafter accounted for	25.		
		37.	0 0.
A small Bill of the Usher of the Black Rod	0.	15.	3.
Do. Doorkeeper of Legislative Council	1.	1.	0.
		1.	16. 3.
		£38.	16. 3.

The Committee also took up the accounts of Donald McLean Esq.

Clerk of the House of Assembly the following items:—

Mr. Lindsay's receipt for stationery	10.	13.	9.
Mr. Woods' account for Stationery	1.	0.	0½
Mr. McNabb's account for stationery	3.	1.	2.
Mr. Cameron's acct for stationery	3.	11.	5½
Doorkeeper of the House of Assembly	1.	18.	0.
		£20.	4. 5.

The Committee think as a proper sum for stationery for next year to be hereafter accounted for

25.	0.	0.
£84.	0.	8.

The last three items to be paid for by the respective Clerks and included in their accounts, namely,—

Clerk of Legislative Council	38.	16.	3.
Do. of Assembly	45.	4.	5.
	£84.	0.	8.

The Committee recommended that the usual Address be presented to His Excellency to advance the money, and that the House do pledge themselves to make it good at the next Session of Provincial Parliament.

This report to be inserted with permission of the House on the Journals as usual.

By Order of the Committee,

(Signed) Angus Macdonell,  
Chairman.

Ordered accordingly.

Mr. Ferguson moved, seconded by Mr. Sherwood, that an humble Address be presented to His Excellency the Lieutenant Governor that he would be pleased to issue his Warrant for the amount of the contingent accounts of the Clerks of the Honorable Legislative Council and of this House.

Ordered accordingly, and the address is as follows,

To His Excellency Peter Hunter, Esq.,  
Lieutenant Governor of the Province of  
Upper Canada, and Lieutenant General  
Commanding His Majesty's Forces in the  
Provinces of Upper and Lower Canada.

May it please Your Excellency,

The House of Assembly having resolved that an humble Address be presented to Your Excellency may be pleased to issue your Warrant for Thirty eight Pounds Sixteen Shillings and Threepence to the Clerk of the Legislative Council for contingent expenses this Session, and for the purpose of stationery for the next Session. And also that Your Excellency will be pleased to issue your Warrant for Forty Five Pounds Four Shillings and Five pence to the Clerk of the House of Assembly for contingent expenses this Session, and for stationery for the next Sessions.

Therefore we the Commons of Upper Canada in Assembly met take the liberty of requesting Your Excellency to issue the above warrants which we will make good to Your Excellency the next Session of Parliament Commons House of Assembly.

Mr. Sherwood, seconded by Mr. Swayzie, moved that Mr. Sheriff Macdonell and Mr. Weager do carry the Address to His Excellency the Lieutenant Governor tomorrow.

Ordered accordingly.

On motion of Mr. Rogers, seconded by Mr. Swayzie, the House adjourned until Wednesday next.

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*Wednesday 8th July 1801.*

Prayers were read.

Agreeable to the Order of the Day the House was called over, when there appeared.

MESSRS FERGUSON  
SHERIFF MACDONELL  
MACDONELL (GLENGARRY)  
SHERWOOD  
CAPT. McKEE  
BUELL

MESSRS CLENCH  
MACDONELL (YORK)  
WASHBURN  
WEAGER  
SWAYZIE

Absent by leave from the House,

MESSRS. McCRAE  
BEASLEY  
NELLES  
CAPT. ELLIOTT.

Without leave,

MR. SOLICITOR GENERAL  
MR. THOMPSON

Mr. Thompson soon appeared and took his seat.

Then Mr. Sheriff Macdonell and Mr. Weager reported that they had waited upon his Excellency the Lieutenant Governor with the Address agreeable to the resolution of this House, to which His Excellency was pleased to return the following answer,

Gentlemen,

The zeal which you discover for the cultivation of hemp, a measure which I trust will equally contribute to the prosperity of this Province and the advantage of the Mother Country, gives me the highest satisfaction.

Your resolution I most highly approve, and you may rest assured that I shall apply the means which you have put into my hands to promote in the most effectual manner in my power that valuable and laudable purpose for which it is intended.  
York 7th July 1801.

Gentlemen,

I have received your Address requesting me to issue my Warrants for stationery &c. for the Legislative Council and House of Assembly, which warrants shall be issued accordingly.

York 7th July 1801.

On the motion of Mr. Sherwood, seconded by Mr. Swayzie,  
This House adjourned.

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*Thursday 9th July 1801.*

Prayers were read.

A Message from His Excellency the Lieutenant Governor by Mr. George Law, Gentleman Usher of the Black Rod,

Mr. Speaker,

I am commanded by His Excellency the Lieutenant Governor to acquaint this Honorable House that it is His Excellency's pleasure that the Members thereof do forthwith attend upon His Excellency in the Legislative Chamber.

Accordingly Mr. Speaker with the House went up to attend. His Excellency was pleased to give, in His Majesty's Name, the Royal assent to the following Public and Private Bills.

An Act to continue an Act passed in the thirty-seventh year of His Majesty's Reign entitled "An Act for the better securing the Province against the King's enemies."

An Act to prevent Acts of the Legislature from taking effect from a time prior to the passing thereof.

An Act to remove doubts with respect to the authority under which the Courts of General Quarter Sessions of the Peace and other Courts have been erected and



holden, and other matters relating to the administration of justice done in the several Districts of this Province, and also to fix the times of holding the Courts of General Sessions of the Peace in and for the same.

An Act the better to adopt the establishment of the Court of King's Bench in the present situation of this Province.

An Act to regulate the Statute Labour to be done upon the Roads in the Tract occupied by the Huron Indians in the County of Essex in the Western District.

An Act to authorize the Governor, Lieutenant Governor, or person administering the Government to appoint Inspectors of Flour, Pot and Pearl Ashes within this Province.

An Act to prevent the sale of spirituous liquors and strong waters in the Tract occupied by the Moravian Indians on the River Thames, in the Western District.

An Act for the further regulation of the Militia of this Province, and for the more effectual punishment of offenders against the Militia Laws.

His Excellency was pleased to withhold His Majesty's assent from the two following Bills.

A Bill entitled "An Act to declare and establish what shall be deemed and taken to be the Public Roads throughout this Province."

A Bill entitled "An Act to repeal certain parts of an Act passed in the Parliament of Great Britain in the twelfth year of His Majesty King George the First, entitled "An Act to prevent frivolous and vexatious arrests, and for the more easy apprehending absconding debtors."

His Excellency was pleased to reserve the two following Bills for the signification of His Majesty's pleasure thereon.

A Bill entitled "An Act to enable Femmes Covert having real estate, or interest in real estate, more conveniently to aliene the same."

A Bill entitled "An Act to allow time for the sale of lands and tenements by the Sheriff.

Mr. Speaker then said:—

May it please Your Excellency to approve of the three Bills which the House of Assembly, with the concurrence of the Legislative Council have passed for aids to His Majesty.

An Act to ratify and confirm certain Provisional Articles of Agreement entered into by the respective Commissioners of this Province and of Lower Canada at Quebec on the second day of February one thousand eight hundred and one relative to duties and for carrying the same into effect, and also to continue an Act passed in the thirty ninth year of His Majesty's Reign.

An Act for granting to His Majesty a certain sum of money out of the Provincial Funds to defray the payments of the salaries of the officers of the Legislative Council and House of Assembly, (including the Commissioners to Lower Canada) and to defray the contingent expenses thereof, and further to appropriate the supplies and provide for the payment of the same hereafter.

An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province, the like duties on goods and merchandize brought into this Province from the United States of America as are now paid on goods and merchandize imported from Great Britain and other places.

To which His Excellency was also pleased to give the Royal assent in His Majesty's Name.

And then His Excellency was pleased to make the following Speech to both Houses.

Honorable Gentlemen of the Legislative Council and Gentlemen of the Assembly:—

The advanced period of the season and the calls of your private affairs admonish that it is time to release you from your attendance at this place.

But before I put an end to the Session I cannot deny myself the satisfaction of expressing the pleasure with which I view what you have done in it.

Your attention with respect to the Revenue of this Province merits my approbation, the subject being new must have been accompanied with difficulties, Experience in such matters is our surest guide; and the frequent opportunities which you have had of meeting in your legislative capacity will enable you, should it be requisite, to apply that experience to perfect what you have begun.

The other Bills to which I have given the Royal assent appear to me to be fully entitled each to its share of my approbation.

And here I cannot forbear expressing the satisfaction which I feel from the zeal and liberality which you have discovered in promoting the culture of hemp, a measure so strongly recommended to us by our Parent State.

During the interval which will elapse before we meet here again I hope that you will reflect on the solemn trust with which you are invested, and the duty which your country calls upon you to perform, in the discharge of which nothing can contribute more than a study of that invaluable Constitution which it is the singular felicity of the two Canadas to possess, and which it hath pleased our Parent State kindly to bestow.

May those who enjoy this blessing be sensible of its value, and with vigilance and fortitude guard and defend that Government from which under Providence they derive both security and happiness.

After which the Honorable Speaker of the Legislative Council said,  
Gentlemen of the Legislative Council, and  
Gentlemen of the House of Assembly:

It is His Excellency the Lieutenant Governor's will and pleasure that this Provincial Parliament be prorogued until Monday the eighteenth day of August, to be then here held, and this Provincial Parliament is accordingly prorogued until Monday the eighteenth day of August next.

I do hereby certify that the above and the foregoing sheets are a true copy of the Journals of the House of Assembly of Upper Canada, being the first session of the third Provincial Parliament assembled at York on the 28th day of May last agreeable to the proclamation of His Excellency Peter Hunter Esquire Lieutenant Governor of Upper Canada, and Lieutenant General Commanding His Majesty's forces in Upper and Lower Canada, and prorogued by His Excellency the ninth day of July last.

Donald McLean

York, Upper Canada, 14th August 1801.

— Clk of Assembly.

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[Journal of the Assembly of Upper Canada in 1801  
Certified to be a true Copy

George Mayer,

Librarian and Keeper of  
the Records, Colonial Office,  
18th July 1855.]





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Journal  
OF THE  
HOUSE OF ASSEMBLY  
OF  
Upper Canada  
1802

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Journal  
OF THE  
HOUSE OF ASSEMBLY  
OF  
Upper Canada,  
1802.

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PETER HUNTER, Lieutenant Governor.

PROCLAMATION.

George the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith.

To all Our loving subjects.

GREETING. Whereas by our prorogation on the ninth day of July last we thought fit by and with the advice of our Executive Council to prorogue our Provincial Parliament until the eighteenth day of this present month of August, at which time in our Town of York you were held and constrained to appear. But we taking into our Royal consideration the ease and convenience of our loving subjects have thought fit by and with the advice of our Executive Council to relieve you and each of you of your attendance at the time aforesaid, hereby convoking, and by these presents enjoining you and each of you that on the twenty fifth day of September now next ensuing you meet us in our Provincial Parliament in our Town of York, there to take into consideration the state and welfare of our Province of Upper Canada, and therein to do as may seem necessary. Herein fail not.

In testimony whereof we have caused these our letters to be made patent, and the Great Seal of our said Province to be hereunto affixed. Witness our trusty and well beloved Peter Hunter, Esquire, our Lieutenant Governor Commanding our Provinces of Upper and Lower Canada, at York this thirteenth day of August in the year of Our Lord one thousand eight hundred and one, and in the forty first year of our Reign.

P. H.

William Jarvis, Secretary.

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By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General Commanding His Majesty's Forces in the Province of Upper and Lower Canada &c. &c. Dated at York the twenty-first day of September one thousand eight hundred and one the meeting of the Legislative Council and House of Assembly stands prorogued to the second day of November one thousand eight hundred and one.



By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper, and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c. &c. dated at York the 26th. day of October one thousand eight hundred and one, the meeting of the Legislative Council and House of Assembly stands prorogued till the eleventh day of December one thousand eight hundred and one.

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By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c. &c. dated at York the fifth day of December one thousand eight hundred and one, the meeting of the Legislative Council and House of Assembly stands prorogued till the nineteenth day of January one thousand eight hundred and two.

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By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada dated at York the twelfth day of January one thousand eight hundred and two, the meeting of the Legislative Council and House of Assembly stands prorogued to the twenty-sixth day of February one thousand eight hundred and two.

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By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c. &c. dated at York the twentieth day of February one thousand eight hundred and two, the meeting of the Legislative Council and House of Assembly stands prorogued to the Sixth day of April one thousand eight hundred and two.

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By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c. &c., dated at York the third day of April one thousand eight hundred and two, the meeting of the Legislative Council and House of Assembly stands prorogued to the tenth day of May one thousand eight hundred and two.

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PETER HUNTER, Lieutenant Governor.

#### PROCLAMATION

George the Third by the Grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith.

To all our loving Subjects GREETING.

Whereas by our proclamation bearing date the third day of April last we thought fit by and with the advice of our Executive Council to prorogue our Pro-

vincial Parliament until the tenth day of this present month of May, at which time in our town of York you were held and constrained to appear; but we taking into our Royal consideration the ease and convenience of our loving subjects have thought fit by and with the advice of our Executive Council to relieve you and each of you of your attendance at the time aforesaid, hereby convoking, and by these presents enjoining you and each of you that on the twenty fifth day of this present month of May you meet us in our Provincial Parliament in our Town of York, for the actual dispatch of Public Business, and to take into consideration the state and defence of our said Province of Upper Canada. And therein to do as may seem necessary.

In testimony whereof we have caused these our letters to be made patent, and the Great Seal of our said Province to be hereunto affixed. Witness our trusty and well beloved Peter Hunter Esquire, our Lieutenant Governor of our said Province, and Lieutenant General Commanding our Forces in our Provinces of Upper and Lower Canada at York this first day of May in the year of Our Lord one thousand eight hundred and two, and in the forty-second year of our Reign.

P. H.

William Jarvis, Secretary.

## HOUSE OF ASSEMBLY, UPPER CANADA

*Tuesday 25th. May, 1802.*

At the second Session of the Third Parliament of Upper Canada, begun and held in the Town of York on Tuesday the 25th. day of May, in the forty second year of the Reign of our Sovereign Lord, George the Third, by the Grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith and so forth, and in the year of our Lord one thousand eight hundred and two.

His Excellency the Lieutenant Governor having prorogued the Parliament until the 18th. day of August 1801 and by his proclamations annexed having further prorogued the same from time to time until this day.

The House being met,

A Message by Mr. George Law, Gentleman Usher of the Black Rod.

Mr. Speaker,

It is His Excellency the Lieutenant Governor's pleasure that this Honorable House do immediately attend him in the Honorable Legislative Council Chamber.

The House went up accordingly, and being returned

Mr. Speaker reported that the House had attended His Excellency the Lieutenant Governor in the Legislative Council Chamber, where His Excellency had been pleased to open the present Session by a most gracious Speech to both Houses, and that to prevent mistakes he had obtained for the information of the House a copy of His Excellency's Speech which was read as follows.

Honorable Gentlemen of the Legislative Council and Gentlemen of the House of Assembly:—

It is with the greatest satisfaction that I now congratulate you on the preliminaries of peace having been signed between Great Britain and the French Republic.

Our pleasure on this occasion is greatly heightened in reflecting that when peace and tranquility shall have been completely established Europe, after having endured the severest sufferings, will, under Providence be indebted for her deliverance to the valarious conduct and success of the British Arms.

The Commissioners under the Act for securing the titles to lands have made great and laudable progress in that task, which they have undertaken for the good of the Public. It will, however, be necessary for you still further to lend your aid to enable them to finish a work so conducive to the prosperity of this Province.

The Judicious measures adopted by those Gentlemen to whom I have entrusted the execution of the powers committed to me respecting the culture and exportation of hemp will, I trust, when carried into execution and perfected, effectually promote that salutary object.

The short experience we have as yet had in the receipt of the duties on goods brought from the United States of America opens a reasonable expectation of a considerable increase to the revenue of this Province.

Gentlemen of the House of Assembly,

I have directed the usual accounts to be laid before you, not doubting but that you will bestow on them that attention which the nature of the subject requires.

Honorable Gentlemen of the Legislative Council and Gentlemen of the House of Assembly,

The plenty and comfort which we now possess in this Province must fill every good mind with gratitude to the Supreme Giver of all things, but while we thus largely partake of the bounty of Providence, let us ever bear it in mind that it is only in the practice of industry and of virtue, by a steady and loyal attachment to our King, our Country and its laws, that we can hope for the continuance of that bounty or deserve it.

Members present.—Messrs. Nelles, Beasley, A. Macdonell of York, Mr. Solicitor General, Mr. Sheriff Macdonell.

After which Mr. Speaker adjourned the House for want of a quorum.

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*Wednesday, 26th. May 1802.*

Mr. Speaker took the Chair and adjourned the House for want of a quorum.

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*Thursday, 27th. May 1802.*

At ten o'clock in the forenoon Mr. Speaker took the Chair, and adjourned the House for want of a quorum.

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*Friday, 28th. May, 1802.*

Present, Mr. Speaker, Messrs. Thompson and Weager.

Mr. Speaker adjourned the House for want of a quorum, but having understood that several Members arrived this morning, he directed the Messenger to wait on the several gentlemen who are in Town, to inform them that the House will meet to-morrow morning at ten o'clock for the despatch of business.



*Saturday, 29th. May, 1802.*

Prayers were read.

Agreeable to order, the minutes of the House were read from the 25th. instant.

Mr. Sheriff Macdonell moved, seconded by Mr. Ferguson, that Messrs. Ferguson, Thompson, Macdonell of York and Mr. Nelles be a Committee to draught an Address to His Excellency the Lieutenant Governor in answer to his speech.

It was ordered accordingly.

On the motion of Mr. Nelles, seconded by Mr. Angus Macdonell of York, the House adjourned till Monday at ten o'clock.

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*Monday, 31st. May, 1802.*

Prayers were read.

Mr. Speaker informed the House that he had received a letter from Thomas McKee, Esquire, stating that his private affairs would not permit his leaving home, and to hope for the indulgence of this House in not attending to his duty in Parliament this Session.

Mr. A. Macdonell of York moved, seconded by Mr. Nelles, that in consequence of Mr. Speaker's representation Thomas McKee, Esquire, have leave of absence from the House during the present Session.

And leave of absence was accordingly granted.

Mr. Macdonell of York, from the Committee appointed to draw up an address of thanks to His Excellency the Lieutenant Governor for his Speech to both Houses in opening the present Session, reported that the Committee had prepared an Address accordingly, which he was directed to submit to the House whenever it should be pleased to receive the same.

Ordered, That the Report be received.

And he read the Report in his place, and then delivered the same to Mr. Speaker, and is as follows.

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c.

May it please Your Excellency,

We His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, respectfully approach Your Excellency to return our thanks for Your Excellency's Speech, and to congratulate sincerely with Your Excellency on the signature of the preliminary Articles of Peace between our Parent Kingdom and the French Republic, an event which we doubt not will soon be succeeded by a definite and general Treaty of Peace.

And while as men we feelingly rejoice in the common happiness of Europe on its deliverance from the calamities of war, as Britons we warmly exult in the honest pride of reflecting that the general felicity has, under Divine Providence, been acquired by the particular valor and achievement of the British Arms. Nor can we refrain from mingling with those sentiments of satisfaction participated in common with all our fellow subjects, others in their origin more particularly

confined to ourselves. We are happy to see the presence of Your Excellency restore once more to the Government of this Province animation and the exercise of its indispensable functions.

We shall contribute our best endeavors to keep open the means of converting equitable titles to land into legal estates; and shall be unremitting in our solicitude to render hemp a staple export from this Province. Nor shall any unforeseen accident or embarrassment (for such are inseparable generally from all new undertakings) which upon common occasions, or in pursuit of an ordinary object might abate our zeal or put a period to our progress, divert or intercept in this instance our resolution from its purpose.

We understand with pleasure that the Provincial Revenue is likely to benefit so considerably by the duties upon importations from the United States of America, and shall bestow proper attention upon the usual accounts when submitted to our consideration.

We heartily join in Your Excellency's pious reflections upon the debt of gratitude which we owe to the bounty of Providence, and shall fervently study to merit its further protection by a devout observance of the practice of piety, morality, and loyalty recommended to us by Your Excellency.  
Commons House of Assembly,

York, 31st May, 1802.

Mr. Sheriff Macdonell moved, seconded by Mr. Ferguson, that this House do now form itself into a Committee to take into consideration the draught of an Address in answer to His Excellency the Lieutenant Governor's speech.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported the draught of the Address as read without any amendment, which report was accepted.

Ordered, That the Address be engrossed.

Then Mr. Nelles moved, seconded by Mr. Thompson, that Mr. Weager and Mr. McCrae be a Committee to wait upon His Excellency the Lieutenant Governor, to know when it will be his pleasure to receive this House with their Address in answer to his Speech.

Ordered accordingly.

Mr. Sheriff Macdonell moved, seconded by Mr. Macdonell of York, that Mr. Ferguson be added to the Committee to wait on His Excellency the Lieutenant Governor to request to know when he will be pleased to receive the Address of this House in answer to his Speech.

It was so ordered.

Mr. Macdonell of Glengarry moved, seconded by Mr. Weager, that a Committee of five members be named to consider of digest, and from time to time to report to the House for approbation such rules for its government as may appear expedient in addition to those already framed.

Ordered accordingly.

Then Mr. McCrae moved, seconded by Mr. Macdonell of York, that the names for the Committee be not filled up until the ninth day of June.

It was ordered accordingly.

On the motion of Mr. Weager, seconded by Mr. Thompson, the House adjourned.

*Tuesday, 1st. June, 1802.*

Prayers were read.

Mr. Ferguson, from the Committee who waited upon His Excellency the Lieutenant Governor to know when he would receive the House with its address reported that His Excellency was pleased to appoint this day at twelve o'clock to receive the House.

Mr. Ferguson moved, seconded by Mr. Macdonell of York, for leave to bring in on Saturday next a Bill, for the better ascertaining the titles to lands in this Province.

Leave was granted.

Mr. Nelles moved for leave to bring up the Petition of James Clark, Esquire, which was granted and the said petition was ordered to lie on the Table.

Mr. Macdonell of York moved, seconded by Mr. Nelles, for leave to bring in on Saturday next a Bill for regulating more equally the service of jurors, and for the better defining of special juries.

And leave was granted.

Mr. Washburn moved, seconded by Mr. Weager, for leave to bring in to-morrow a Bill to amend certain parts of an Act passed in the thirty third year of His Majesty's Reign entitled "An Act to regulate the laying out and keeping in repair the Public Highways, and Roads within this Province.

Which was carried in the negative.

Mr. Macdonell of Glengarry moved, seconded by Mr. Sheriff Macdonell, for leave to lay before the House a petition from the County of Glengarry praying that a Fair may be established in that County.

Leave was granted.

Mr. Washburn moved, seconded by Mr. Weager, for leave to bring in to-morrow a Bill to regulate the power and duty to be vested in the Poundkeepers within this Province.

Granted accordingly.

Mr. Washburn moved, seconded by Mr. Weager, for leave to bring in on Saturday next a Bill to amend certain parts of an Act passed in the forty first year of His Majesty's Reign entitled "An Act to authorize the Governor, Lieut. Governor or person administering the Government, to appoint Inspectors of flour, Pot and Pearl Ashes within this Province.

Leave was granted.

Mr. Washburn, seconded by Mr. Weager, moved for leave to bring in a Bill on Saturday next to amend certain parts of an Act passed in the thirty fourth and thirty sixth years of His Majesty's Reign respecting the payment for Shop and Tavern Licenses within this Province.

The same was carried in the negative.

At the hour appointed Mr. Speaker and the House went up with the Address of this House to His Excellency the Lieutenant Governor.

And being returned Mr. Speaker reported that the House had attended upon His Excellency with its Address, to which His Excellency had been pleased to return the following answer:

Gentlemen of the House of Assembly:—

I thank you for your dutiful and loyal Address. The sentiments which you express respecting our parent State and this Province, while they afford me the sincerest pleasure and satisfaction, reflect the highest honour on yourselves.

Then Mr. Speaker adjourned the House for want of a quorum.



*Wednesday, 2nd June 1802.*

Prayers were read.

Mr. Washburn informed Mr. Speaker that Mr. Thompson, a Member of this House, was so unwell that he could not at present attend his duty in this House.

Mr. Macdonell of Glengarry moved, seconded by Mr. Solr. General, for leave to bring in on Monday next a Bill to abate the Public Nuisance of suffering swine to run at large within the town of York.

Leave was accordingly given.

According to the Order of the Day Mr. Washburn brought in a Bill entitled "An Act the better to ascertain the power of the Poundkeepers," which was read the first time.

Mr. Washburn moved, seconded by Mr. Solr. General, that the Bill to ascertain the power of the Poundkeepers be read a second time to-morrow.

It was ordered accordingly.

On the motion of Mr. Nelles, seconded by Mr. Weager, the House adjourned.

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*Thursday, 3rd. June 1802.*

Prayers were read.

Mr. Speaker laid before the House a certified copy of an Act for the more uniform laying of assessments and rates throughout this Province, which had been reserved for the signification of His Majesty's pleasure thereupon the last session of the second Parliament holden in the summer 1800, which he had procured by desire of the House for their use.

Mr. Ferguson moved, seconded by Mr. Weager, for leave to lay before this House on Saturday next a Petition from the inhabitants of the Township of Ameliasburgh in the Midland District, praying to have redressed certain grievances therein stated.

Leave was accordingly granted.

Then Mr. Macdonell of York moved, seconded by Mr. Nelles, That this House do resolve itself into a Committee on Monday next to take into consideration the state of the roads throughout this Province, and to devise the most efficacious means of improving their present condition and keeping them in repair for the future.

It was resolved accordingly.

The petition of James Clerk, Esquire, was read by the Clerk and is as follows.

To His Excellency Peter Hunter Esq. Lieutenant General Commanding His Majesty's Forces in Upper and Lower Canada, and Lieutenant Governor of His Majesty's Province of Upper Canada.

To the Honorable the Legislative Council and the Honorable the House of Assembly of the said Province in Parliament assembled.

The petition of James Clerk Esquire, Sheriff of the District of Niagara,  
Most Respectfully Sheweth,

That your petitioner having the honor to bear the appointment of Sheriff for the District of Niagara, one of the most populous and the most adjacent to the territory of the United States of America, in consequence whereof is subject to great trouble and risk of office.

That your Petitioner has ever since his appointment executed the duties of the said office to the best of his ability with attention and propriety without salary whatsoever.

That your Petitioner humbly begs leave to represent that he has been at very great outlay in the District as well in preparation for as in having some criminals executed, and in several other respects without any remuneration, and that his liability is the greater from the difficulty he experiences in obtaining persons necessary to assist him in the execution of the duties of his office, more particularly that of Gaoler, whose salary as your Petitioner humbly conceives is very inadequate to the charge.

Your Petitioner therefore humbly submits his case to the consideration of the Legislature, and prays that he may be allowed such salary as in the wisdom of Parliament may be thought reasonable and competent.

And your Petitioner as in duty bound will ever pray.

York 25th May 1802.

The petition of upwards of three hundred Freeholders of the County of Glengarry was read, praying that a Fair may be established within the said County and is as follows.

To the Representatives of the Province of Upper Canada in Provincial Parliament assembled.

The petition of sundry Inhabitants of the County of Glengarry, Eastern District,

Humbly Sheweth,

That in the present state of the Country your petitioners experience many inconveniences from the want of a Market for several articles of produce which will hardly bear the expense of transportation to Lower Canada where similar articles are already abundant, and the markets are supplied with one half of the expense to the farmer that will unavoidably be incurred by persons from this quarter.

That young as this country is it now yields some few superfluities which might be turned to greater advantage by being sold or bartered within itself than by being disposed of even at a higher price in the Lower Province, considering the loss of time consequent upon going thither, and the perpetual drain of money which the country suffers by depending solely upon the Montreal Market,

That in order to remedy these inconveniences and disadvantages your petitioners conceive that a Fair established at Sir John Johnson's Mills in this County in the months of May and October, or of June and October, (as may be deemed most convenient or agreeable) would be of essential service to the community, as in a growing country emigrants and others may there be supplied with many necessaries which the vicinity can furnish and the old inhabitants may find it a sort of convenient exchange for bartering with one another cattle, horses, sheep, leather, wool, yarn, butter, sugar, homespun cloth, linen and such other articles as they can spare a little of at present, and hope to have more in process of time.

That though your Petitioners must depend upon the Montreal Market for articles of luxury and a few others, yet they flatter themselves that in a short time they can furnish a surplus of the most of the necessaries of life within themselves, and that the establishment of an internal market would be a spur to industry, and emulation to every individual, and may in time turn the course of exchange in such articles from the Lower to the Upper Province, as the Inhabitants do already

excel the Lower Canadians in the home manufacture, and hope to outrival them still more as their means and experience increase.

Under these impressions your Petitioners are encouraged to submit to your wisdom whether the scheme of a Fair may not be contemplated as an object of some magnitude to the Inhabitants of this County, and to hope that it will meet with your countenance and approbation.

And your Petitioners as in duty bound will ever pray &c.

Mr. Macdonell of Glengarry moved, seconded by Mr. Sheriff Macdonell, that this House do now resolve itself into Committee to take into consideration the prayer of this Petition.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. McCrae was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McCrae reported that it was the opinion of the Committee that the further consideration of the petition praying for a Fair being established within the County of Glengarry be postponed for three months.

Which Report was accepted, and ordered accordingly.

Mr. Nelles moved, seconded by Mr. Solicitor General, that the petition of James Clark Esq. be taken into consideration on Tuesday next.

It was ordered accordingly.

Read a second time, the Bill giving power to the Poundkeepers within this Province.

Mr. Washburn then moved, seconded by Mr. Solicitor General, That this House do now resolve itself into Committee on the said Bill.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sheriff Macdonell reported a progress, and was directed to ask leave to sit again.

Upon which Mr. Washburn moved, seconded by Mr. Thompson, That the Committee do sit again on Monday next.

Ordered accordingly.

On motion of Mr. Nelles, seconded by Mr. Ferguson, the House adjourned until Saturday next.

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*Saturday 5th. June 1802.*

Prayers were read.

At eleven o'clock in the forenoon Mr. Speaker adjourned the House for want of a quorum.

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*Monday 7th. June 1802.*

Prayers were read.

Mr. Sheriff Macdonell moved, seconded by Mr. McCrae, for leave to bring in on Thursday next a Bill to enable the Governor, Lieutenant Governor, or person



administering the Government for the time being to establish Post Houses for the accommodation of travellers, and granting encouragement to the keepers of the same.

Leave was granted.

Mr. Angus Macdonell of Glengarry, seconded by Mr. Sheriff Macdonell, moved for leave to withdraw the petition from sundry Freeholders of the County of Glengarry &c.

Granted accordingly.

Then Mr. Washburn moved, seconded by Mr. Nelles, for leave to postpone the bringing in the Bill for the amendment of the flour inspection Bill until Wednesday next.

Ordered accordingly.

Mr. Macdonell of York, seconded by Mr. Nelles, moved for leave to bring in on Thursday a Bill for the laying more equally of assessments and rates.

Leave was granted.

Agreeable to the Order of the Day the Clerk read the petition of sundry Inhabitants of the Township of Ameliasburgh in the County of Prince Edward, and is as follows.

To the Honorable the Legislative Council and the Members of the House of Assembly of His Majesty's Province of Upper Canada in Parliament assembled.

The petition of the undersigned Inhabitants of the Township of Ameliasburgh in the County of Prince Edward and Province aforesaid,

Humbly Sheweth,

That Your petitioners are in the uppermost part of the County of Prince Edward Island, and being part of the Militia thereof are obliged to attend the general meetings of the County at the distance of from thirty-five to forty miles from their homes, which causes them at times to be absent several days.

That Your Petitioners humbly pray Your Honors will be pleased to take such steps to remedy this grievance by either praying His Excellency the Lieutenant Governor to form an independent Company in the said Township, or attaching them to the Militia of the neighbouring County of Hastings which is opposite, or such other means as in his or your judgment you will deem meet.

And Your Petitioners as in duty bound will ever pray.

The Speaker informed the House that he had received a note from Mr. Ferguson, stating his indisposition, and praying the indulgence of this House for not having brought in according to the Order of the Day a Bill for securing titles to lands in this Province.

On which Mr. Macdonell of York, seconded by Mr. Swayzie moved that so much of the Order of the Day as relates to the leave granted for bringing in this way a Bill for ascertaining and securing titles to land be discharged, and that leave be given to bring in the same on Thursday.

It was ordered accordingly.

Read the first time, a Bill for regulating more equally the service of Jurors.

Ordered, That the said Bill be read a second time to-morrow.

According to the Order of the Day was read the first time a Bill to prevent swine from running at large in the Town of York.

Then Mr. Macdonell of Glengarry moved, seconded by Mr. Sheriff Macdonell, that the said Bill be read a second time to-morrow.

Which was carried in the negative.

Agreeable to the Order of the Day the House resolved itself into Committee on the Bill for giving power to the Pound Keeper.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sheriff Macdonell reported a progress, and was directed to ask for leave to sit again.

Leave was accordingly granted.

According to the Order of the Day, the House resolved itself into Committee to take into consideration the state of the roads throughout this Province.

Mr. Speaker left the Chair.

Mr. Beasley was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Beasley reported a progress, and asked for leave to sit again.

Leave was granted.

And then on motion of Mr. Beasley, seconded by Mr. Macdonell of Glengarry, the House adjourned.

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*Tuesday, 8th. June 1802.*

Prayers were read.

Mr. Sheriff Macdonell moved for leave, seconded by Mr. Solicitor General, to bring up the Petition of Thomas Fraser, Esquire, Sheriff of the District of Johnstown.

Leave was granted.

Mr. Macdonell of York, seconded by Mr. Beasley, moved for leave to bring in the Petition of the inhabitants of York.

And leave was accordingly granted.

Mr. Solicitor General, seconded by Mr. Thompson, moved for leave to bring in a Bill for the more easy recovery of debts, on Monday next.

It was granted accordingly.

Mr. Macdonell of York moved, seconded by Mr. Swayzie, that a Committee be appointed to inquire into the fees taken by the Attorneys and Officers of the Courts of Judicature and Quarter Sessions and to report thereon.

Leave was granted accordingly.

A Bill for regulating more equally the service of Jurors was read for the second time.

On motion of Mr. Macdonell of York, seconded by Mr. Sherwood, the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Beasley was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Beasley reported a progress and asked for leave to sit again tomorrow.

Ordered, that the Committee have leave to sit again to-morrow.

Mr. Clench moved, seconded by Mr. Nelles, that Messrs. Macdonell of York, Sherwood, Swayzie, McCrae and Beasley do constitute the Special Committee to sit and inquire into the fees taken by the Attorneys and Officers of the Courts of Judicature and Quarter Sessions and to report thereon.

On motion of Mr. Beasley, seconded by Mr. Nelles, the House adjourned.

*Wednesday, 9th. June, 1802.*

Prayers were read.

Mr. Swayzie, seconded by Mr. Thompson, moved for leave to bring up three Petitions from the Religious Community called Methodists.

Leave was granted, and the said Petitions were ordered to lie on the Table.

Mr. Nelles moved, seconded by Mr. Swayzie, that the consideration of the Petition of James Clark, Esquire, be postponed until to-morrow, a Petition of the same nature being then to come before the House.

It was ordered accordingly.

On motion of Mr. Washburn, seconded by Mr. Weager,—That the House do now resolve itself into a Committee to take into further consideration the Bill to ascertain the power of the Pound Keepers,—

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Sheriff Macdonell reported that the Committee had gone through the Bill and had made some amendments thereunto, which he had been directed to report to the House whenever it shall please to receive the same.

Ordered, That the report be now received.

Then Mr. Sherwood moved, seconded by Mr. Nelles, that the Bill as now amended be engrossed, and read a third time to-morrow.

Upon which Mr. Macdonell of York moved, seconded by Mr. Ferguson, in amendment, that after the words “of this Bill” be inserted “that the same Bill be remitted to-morrow.”

Which was carried in the affirmative, and was ordered accordingly.

Mr. Birkie, from the Inspector General's office, attended at the Bar by order of His Excellency the Lieutenant Governor, and presented the Public Accounts as per schedule, which are as follows.

No. 1, Account stating the unappropriated sum in the hands of Peter Russell, Esquire, Receiver General, on the 27th. of May, 1801; for duties collected under Acts for the Provincial Parliament.

No. 2, General account of goods imported from the United States under Acts of the Provincial Parliament, for which the duties have been collected and secured between the 1st. of July and 31st. March, 1801, and expense attending the collection thereof.

No. 3, Account of cash received by Peter Russell, Esquire, Receiver General, of duties on sundry goods, wares and merchandise, under the Acts of the Provincial Parliament of the 33rd., 34th., 35th. and 41st. of His Majesty, between the 27th. May, 1801, and 28th. May, 1802.

No. 4, General account of articles liable to duty by Acts of the Legislature, that have passed Coteau du Lac upwards between 1st. January and 31st. December, 1801.

No. 5, Account of duties collected on Shop, Tavern, and Still Licenses, under Acts of the Provincial Parliament of the 33rd. and 34th. of His Majesty's Reign, between the 5th. April, 1801, and 5th. April, 1802.

A & C. Names of persons who have taken out Shop, Tavern and Still Licenses under the Acts of the Provincial Parliament of the 33rd. and 34th. of His Majesty between the 5th. April, 1801, and 5th. April, 1802.



No. 6, Abstracts of Warrants granted by His Excellency Peter Hunter, Lieutenant General, Lieutenant Governor, on Peter Russell, Esquire, Receiver General in payment of the salaries of the Officers of the Legislative Council and House of Assembly and of the contingent expenses thereof and for encouraging the culture and exportation of hemp.

No. 7, Statement showing the duties under Acts of the Provincial Parliament of the 33rd., 34th., 35th. and 41st. of the King, including the sum unappropriated on the 27th. May, 1801, deducting the expense of collection with the sum collected under bond not paid to the Receiver General.

No. 8, Account of cash received by Peter Russell, Esquire, Receiver General, for duties on imports into Lower Canada under an Act of the Provincial Parliament of the 41st. of His Majesty.

York, 28th. May, 1802.

John McGill,

Insp'r Gen. Prov'l. Acc'ts.

(Schedule Appendix A)

Mr. Sheriff Macdonell moved, seconded by Mr. Ferguson, that the Speaker be authorized to appoint a Messenger to attend this House during its session.

A division ensued, and the names being called for were taken down and are as follows:

#### YEAS.

MESSRS. SHERIFF MACDONELL  
MACDONELL (York)  
FERGUSON  
MACDONELL (Glengarry)

#### NAYS.

MESSRS. McCRAE  
CLENCH  
SWAYZIE  
WASHBURN  
BEASLEY  
WEAGER  
NELLES  
SOL'R GEN.  
THOMPSON  
SHERWOOD  
ELLIOTT

The same was negatived by a majority of seven.

Read for the first time the Bill to amend the Bill for the inspection of Flour, &c.

Mr. Washburn moved, seconded by Mr. Weager, that the said Bill be read a second time to-morrow.

Then Mr. Clench moved, seconded by Mr. Ferguson, that the Bill for the inspection of flour be read this day three months. A division thereupon took place, and the names being called for, were taken down and are as follows.

## YEAS.

MESSRS. SHERIFF MACDONELL  
ELLIOTT  
FERGUSON  
MACDONELL (Glengarry)  
NELLES  
BEASLEY  
MACDONELL (York)  
SWAYZIE  
CLENCH

## NAYS.

MESSRS. McCRAE  
WASHBURN  
WEAGER  
SOL'R GEN.  
THOMPSON  
SHERWOOD

The same was carried in the affirmative by a majority of three.

The House resolved itself into Committee on the Jurors' Bill agreeably to the Order of the Day.

Mr. Speaker left the Chair.

Mr. Beasley was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Beasley reported the Bill as amended in the Committee, which he read in his place.

Upon which Mr. Macdonell of York, seconded by Mr. Sherwood, moved that the exceptions as to the Midland District and the Districts of Niagara and London be struck out of the Bill as amended, and that the rotation of service of Jurors do extend to the Province at large.

The same was carried in the negative.

Then the report was accepted and approved of, and the said Bill was ordered to be engrossed for to-morrow.

Mr. Clench, seconded by Mr. Swayzie, moved that Messrs. Macdonell of York, Ferguson and Beasley be a special Committee to draw up such rules and regulations for this House in addition to those already passed as they think necessary and proper.

On motion of Mr. Ferguson, seconded by Captain Elliott, the House adjourned.

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*Thursday, 10th. June, 1802.*

Mr. Clench moved, seconded by Mr. Swayzie, for leave to bring in on to-morrow a Bill to give relief to the society of people called Methodists within this Province.

Leave was granted.

Mr. Sheriff Macdonell, agreeable to leave given, presented a Bill to enable the Governor, Lieutenant Governor, or person administering the Government for the time being, to establish Post Houses throughout this Province, which was read for the first time.

Ordered, That the said Bill be read a second time to-morrow.

Agreeable to the Order of the Day, Mr. Ferguson brought in a Bill for the better ascertaining and securing the titles of lands in this Province, which Bill was read for the first time.

On motion of Mr. Ferguson, seconded by Captain Elliott,

Ordered, that the said Bill be read a second time on Tuesday next.

Mr. Angus Macdonell of York, agreeable to leave obtained, brought in a Bill for the laying more equally assessments and rates, which was read for the first time.

Ordered, That the said Bill be read a second time on Tuesday next.

Mr. Macdonell of York, seconded by Mr. Clinch, moved that the title of the Bill be "An Act for regulating more equally the service of Jurors, and for repealing such restrictions as have been laid by certain Acts of the Parliament of this Province on the nomination of persons to serve as Special Jurors."

Ordered accordingly. And the said Bill was read a third time, passed and signed by Mr. Speaker.

Ordered, That Messrs. Macdonell of York, Nelles and McCrae, do carry the Bill to the Legislative Council, and desire their concurrence.

The House agreeable to the Order of the Day resolved itself into Committee on the Bill granting power to the Poundkeeper.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell retook the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sheriff Macdonell reported that the Committee had gone through the consideration of the said Bill and had made some amendments thereat, which he was ordered to report whenever the House would be pleased to receive the same.

Which Report was accepted, and the said Bill was ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Macdonell of York, seconded by Mr. Sherwood, the House resolved itself into Committee on the petition of James Clark, and Thomas Fraser, Esquires, Sheriffs, praying for salaries.

Mr. Speaker left the Chair.

Capt. Elliott was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Capt. Elliott reported a progress and was directed to ask leave to sit again.

Leave was accordingly granted.

According to the Order of the Day was read the Petition of sundry Inhabitants of the Town of York, praying for a market to be established in the said Town.

Then on motion of Mr. Clench, seconded by Mr. Swayzie,

Ordered, That the prayer of the said petition be read this day three months.

Ordered accordingly.

On motion of Mr. Washburn, seconded by Mr. Swayzie, the House adjourned.

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*Friday 11th. June 1802.*

Prayers were read.

Mr. Macdonell of York, seconded by Mr. Nelles, moved for leave to bring in on Tuesday next a Bill to amend a certain Act passed in the fortieth year of His Majesty's Reign entitled "An Act for the more summary conviction of persons selling spirituous liquors without license."

Leave was given.

On motion of Mr. Macdonell of York, seconded by Mr. Swayzie, leave was given to bring in on Monday next a Bill for licensing Hawkers, Pedlers and petty Chapmen.

Agreeable to the Order of the Day,



Read three Petitions from the Society of people called Methodists, which three petitions are nearly as follows.

To the Honorable the Commons House of  
Assembly for the Province of Upper Can-  
ada in Session assembled.

The petition of the Religious Community called Methodists

Humbly Sheweth,

That the Methodists' Churches or Congregations in this infant Province of Upper Canada are numerous and a large number of the principal members are of those people called U. E. Loyalists or their descendants, having fled from their former homes or habitations and joined the Royal British Standard, to which they have since firmly adhered, and in whose defence, should the necessity of the case require it, your petitioners trust their loyalty in the defence of the rights of the best of Sovereigns would be as conspicuous as it heretofore has been, well assured that none would be readier to risk their lives and properties in the defence of the Government than those belonging to the Methodists' Societies.

Your Petitioners being liable to all the Statutes, duties, services, pains and penalties with those of other religions in the Province, and have not an equal participation with them in their religious rights which we Your Petitioners think a great grievance, have therefore presumed to solicit Your Honorable House, amongst whom we know there are men well acquainted with our religious tenets, and know our sufferings. We Your Petitioners have not the least doubt from the liberality of your House but that every step will be taken and everything done for us that can consistently with our glorious constitution.

We Your Petitioners therefore humbly pray that an Act may be passed in our favour giving authority to our Preachers (most of whom are Missionaries from the States) to solemnize the religious rites of marriage as well as to confirm all past marriages performed by them. This requisition we Your Petitioners pray may be taken into your serious consideration, and we trust our request will appear so reasonable that opposition will lay down his head, whilst ease is given to the minds and consciences of a numerous body of the Inhabitants of this Province, and who are not the least numerous sect in the different Districts of Upper Canada.

And Your Petitioners will then as now, and shall as in duty bound ever pray.

Then Mr. Clench moved, seconded by Mr. Rogers, That the Order of the Day respecting the leave granted to bring in a Bill this day to give relief to the Society of people called Methodists be discharged, and leave be given to bring in the same to-morrow.

Ordered accordingly.

Mr. Rogers, seconded by Mr. Ferguson moved, That the Order of the Day for the third reading of the Bill for ascertaining the duty of Poundkeepers be discharged, and that the said Bill be recommitted.

The House being divided Mr. Speaker gave his vote for the Bill being recommitted.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell was again called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sheriff Macdonell reported that the Committee had gone through the consideration of the Bill for granting power to the Poundkeepers, to which they had made some amendments, which he was desired to report whenever the House would be pleased to receive the same.

Ordered, That the report be now received.

Then Mr. Washburn moved, seconded by Mr. Weager, that the Bill be engrossed and read a third time to-morrow.

Ordered accordingly.

Mr. Macdonell of York, first named to carry up to the Legislative Council the Bill entitled "An Act for regulating more equally the service of Juries in this Province," reported that they had carried up the said Bill and requested their concurrence.

A Bill to regulate Post Houses in this Province was read a second time.

Then, on motion of Mr. Sheriff Macdonell, seconded by Mr. Macdonell of Glengarry, the House resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Solicitor General was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Solicitor General reported, that the Committee had gone through the consideration of the said Bill, to which they had made some amendments.

Which Report was accepted.

Then, on motion of Mr. Sheriff Macdonell, seconded by Mr. Swayzie,

Ordered, That the said Bill be engrossed and read the third time to-morrow.

On motion of Mr. Solicitor General, seconded by Mr. Nelles, the House adjourned.

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*Saturday, 12th. June, 1802.*

Prayers were read.

Mr. Macdonell of York, seconded by Mr. Clench, moved for leave to bring in on Tuesday next a Bill to facilitate the means of obtaining process of outlawry.

Leave was granted.

Mr. Macdonell of York, seconded by Mr. Rogers, moved for leave to bring in on Tuesday next a Bill to restrain defendants from pleading joint obligation or undertaking in abatement unless a special affidavit of merits be annexed.

Leave was accordingly granted.

Then Mr. Rogers moved, seconded by Mr. Macdonell of York, that the Order of the Day for the third reading of the Pound Bill be discharged, and that the said Bill be recommitted on Monday.

Which was carried in the negative.

Agreeable to the Order of the Day Mr. Speaker put the question for the third reading of the Bill giving power to the Poundkeepers throughout this Province. A Division thereupon took place, and the same passed in the negative.

Then Mr. Macdonell of York moved, seconded by Mr. Swayzie, that the said Bill be recommitted this Day.

On which Mr. Ferguson moved, seconded by Capt. Elliott, that an amendment be made to the motion as moved by Mr. Macdonell of York, and that the Bill be recommitted, and taken into consideration on Tuesday next.

The House divided upon the question, and it passed in the negative.

And the main question being then put the House again divided, and on the same being carried in the affirmative the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sheriff Macdonell reported that the Committee had gone through the consideration of the said Bill, and desired him to report the same without any amendments.

Which Report was accepted.

On motion of Mr. Sherwood, seconded by Mr. Washburn, The Bill was read a third time, passed and signed by Mr. Speaker.

Mr. Ferguson moved, seconded by Mr. Rogers, that Mr. Sherwood, Mr. Solicitor General and Mr. Weager be a Committee to carry this Bill to the Honorable the Legislative Council and request their concurrence therein.

Then Mr. Sherwood, seconded by Mr. Swayzie, moved that Mr. Washburn, Mr. McCrae and Mr. Nelles be a Committee to carry up this Bill to the Honorable the Legislative Council and to request their concurrence.

The same passed in the negative.

On which the original motion was put, and carried in the affirmative, and was ordered accordingly.

The engrossed Bill for establishing Post Houses throughout this Province was read for the third time.

Then Mr. Sheriff Macdonell moved, seconded by Mr. Macdonell of Glengarry, That this Bill be entitled an Act to authorize the Governor, Lieutenant Governor or person administering the Government for the time being to license certain persons to let and hire post horses and carriages, and to give encouragement to such persons so licensed for such purpose.

Ordered accordingly.

Mr. Clench moved, seconded by Mr. Rogers, that after the words "Government House" the words "from the Government House to Niagara" be inserted.

On which a division took place, and the names were taken down, and were as follows.

#### YEAS.

MESSRS. WASHBURN

NELLES

McCRAE

ROGERS

BEASLEY

SHERWOOD

CLENCH

#### NAYS.

MESSRS. SOLICITOR GEN.

MACDONELL (Glen'y)

THOMPSON

SHERIFF MACDONELL

ELLIOTT

FERGUSON

MACDONELL (York)

WEAGER

So it passed in the negative by a majority of one.

Mr. Macdonell of York moved, seconded by Mr. Weager, that the following rider be annexed. And it be further enacted by the authority aforesaid that in case any stage keeper be not within a reasonable distance in either direction of another licensed stage, that then and in every such case it shall and may be lawful to and for the Governor, Lieutenant Governor, or person administering the Government of this Province for the time being to limit and define in the license granted to such stage keeper the boundaries within which it shall be his duty to forward travellers, and such boundaries shall be the limits of such stage.

Thereupon a division took place. and the names were taken down and are as follows.



## YEAS.

MESSRS. MACDONELL (York)  
 SWAYZIE  
 CLENCH  
 THOMPSON  
 WEAGER

## NAYS.

MESSRS. BEASLEY  
 McCRAE  
 NELLES  
 SOL'R GENERAL  
 WASHBURN  
 SHERIFF MACDONELL  
 ELLIOTT  
 FERGUSON  
 SHERWOOD  
 MACDONELL (Glengarry)  
 ROGERS

The same passed in the negative by a majority of six.

Mr. Speaker put the question shall the Bill now pass?

A Division again took place, and the names were taken down and are as follows.

## YEAS.

MESSRS. SHERIFF MACDONELL  
 SOLICITOR GENERAL  
 MACDONELL (York)  
 MACDONELL (Glengarry)  
 FERGUSON  
 SWAYZIE  
 THOMPSON  
 WASHBURN

## NAYS.

MESSRS. SHERWOOD  
 CLENCH  
 ROGERS  
 BEASLEY  
 WEAGER  
 NELLES  
 ELLIOTT  
 McCRAE

The engrossed Bill passed in the affirmative by a majority of two, and was signed by Mr. Speaker.

Mr. Macdonell of York moved, seconded by Mr. Weager, that Mr. Sheriff Macdonell, Capt. Elliott and Mr. Ferguson be a Committee to bring up the said Bill to the Honorable the Legislative Council, and to request their concurrence in passing the same.

Ordered accordingly.

Read the first time, the Bill for granting religious toleration to the Religious Society called Methodists.

Mr. Clench then moved, seconded by Mr. Swayzie, that the Bill giving relief to the Society of people called Methodists be read a second time on Monday.

Then Mr. Solicitor General, seconded by Mr. Macdonell of Glengarry, moved that the words "on Monday" be struck out of Mr. Clench's motion, and the words "three months" be inserted in their place.

The same passed in the negative.

Then the main question was put and a division thereupon took place and the names were taken down and were as follows.

## YEAS.

MESSRS. BEASLEY  
WEAGER  
MACDONELL (York)  
McCRAE  
SWAYZIE  
CLENCH  
ROGERS  
SHERWOOD  
THOMPSON

## NAYS.

MESSRS. FERGUSON  
ELLIOTT  
SHERIFF MACDONELL  
MACDONELL (Glengarry)  
SOLICITOR GENERAL

The same was carried by a majority of five, and ordered accordingly.

Mr. Solicitor General, seconded by Mr. Weager, moved for leave to bring in on Monday next a Bill to enable the Governor, Lieutenant Governor, or person administering the Government for the time being, to establish more places or ports of entry in this Province, and to appoint Collectors at the same.

Leave was accordingly granted.

On motion of Mr. Swayzie, seconded by Mr. McCrae, the House adjourned until Monday next.

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*Monday, 14th. June, 1802.*

Prayers were read.

Mr. Macdonell of York, seconded by Mr. Solicitor General, moved for leave to bring in on Thursday a Bill to authorize for a limited time the Justices of His Majesty's Court of King's Bench to nominate and appoint fit and discreet persons to act as Attornies at Law in certain Districts.

The same passed in the negative.

On the motion of Mr. Thompson, seconded by Mr. Washburn, for leave to bring in a Bill on to-morrow entitled "An Act to ascertain and establish on a permanent footing the boundary line of the Townships of this Province."

Leave was granted.

Mr. Macdonell of York, seconded by Mr. Swayzie, moved for leave to bring in a Bill to amend an Act passed in the forty first year of His Majesty's Reign entitled "An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province, the like duties on goods and merchandize brought into this Province from the United States of America as are now paid on goods and merchandize imported from Great Britain and other places.

It was granted accordingly.

Mr. Clench, seconded by Mr. Beasley, moved for leave to bring in a Bill to declare the powers of the Commissioners of the Courts of Requests within this Province on to-morrow.

Leave was granted accordingly.

Mr. Sherwood, seconded by Mr. Rogers, moved for leave to bring in on Tuesday next a Bill to regulate the Statute Labour to be done upon roads and highways throughout this Province.

Leave was accordingly granted.

Read for the first time the Bill to enable the Governor, Lieutenant Governor, or person administering the Government of this Province to declare and appoint by proclamation or otherwise one or more additional port or ports of entry, and clearance.

Then Mr. Solicitor General moved, seconded by Mr. Clench, That the said Bill be read a second time on Wednesday.

Ordered accordingly.

Read for the first time, the Bill for the Recovery of Debts, the said Bill was ordered to be read a second time on Wednesday next.

Read the first time, a Bill to license Hawkers, Pedlars, and Petty Chapmen.

Mr. Rogers moved, seconded by Mr. Swayzie, that the Bill for licensing Hawkers and Pedlars be read a second time on Wednesday.

Ordered accordingly.

According to the Order of the Day, Mr. Speaker put the question for the second reading of the Bill for granting relief to the Religious Society called Methodists. The House being divided, Mr. Speaker gave his vote that the second reading of the Bill be discharged.

Upon which Mr. Sherwood, seconded by Mr. Clench, Moved that the Bill for the relief of the Religious Society of people called Methodists be now read a second time.

The said Bill was read for the second time.

Mr. Rogers, seconded by Mr. Weager, moved that the House do now resolve itself into a Committee to take this Bill into their consideration.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Macdonell of York was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell of York reported the Bill as amended in the Committee.

Ordered, That the report be received.

Then Mr. Clench, seconded by Mr. Rogers, moved that the Bill be engrossed and read a third time on to-morrow.

Which was ordered accordingly.

Mr. Sherwood, seconded by Mr. Clench, moved that so much of the Order of the Day for Tuesday be discharged as directs the second reading of a Bill for the more uniform laying of assessments and rates on that day, and that the same be read a second time to-day.

Ordered accordingly.

Read for the second time, the Bill for the more uniform laying of assessments and rates.

Mr. Rogers, seconded by Mr. Clench, moved that the House do now resolve itself into a Committee to take this Bill into their consideration.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Macdonell of Glengarry was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell of Glengarry reported that the Committee had made some progress in said Bill, and asked leave to sit again.

Granted accordingly.

On motion of Mr. Swayzie, seconded by Mr. Weager, the House adjourned.



*Tuesday, 15th. June, 1802.*

Mr. Solicitor General by leave brought up the petition of the Honorable Peter Russell, Esquire, and the same was laid on the Table.

Mr. Beasley, seconded by Mr. Clench, moved that leave of absence until Friday next be given to Robert Nelles Esquire.

And leave of absence was accordingly granted.

Mr. Thompson, seconded by Mr. Ferguson, moved that so much of the Order of the Day as relates to the bringing in a Bill entitled "An Act to amend an Act entitled "An Act to ascertain and establish on a permanent footing the Boundary Lines of the different Townships of this Province" be discharged, and that leave be given to bring it on Wednesday.

Upon which, Mr. Rogers moved, seconded by Mr. Sherwood, that all the words after the words "discharged" be struck out of the original motion.

The same passed in the negative.

Then the main question was put and carried in the affirmative and ordered accordingly.

A Bill to declare the authority of the Commissioners of Courts of Requests was read the first time.

On the motion of Mr. Clench, seconded by Mr. Swayzie,

Ordered, That the said Bill be read a second time to-morrow.

The Bill for regulating the Statute Labour to be performed upon the Highway was also read the first time.

And on motion of Mr. Sherwood, seconded by Mr. Clench, was ordered to be read a second time to-morrow.

Read the first time, a Bill to facilitate the means of proceeding to outlawry against absent or absconding debtors.

Then Mr. Macdonell of York, seconded by Mr. Ferguson, moved that the said Bill be read a second time to-morrow.

Upon which the question was put and passed in the negative.

A Bill to amend an Act passed in the fortieth year of His Majesty's Reign entitled "An Act for the summary conviction of persons selling spirituous liquors by retail without license" was then read the first time.

On the motion of Mr. Macdonell of York, seconded by Mr. Clench, it was ordered that the said Bill be read a second time on Thursday.

And then the Bill to restrain defendants from pleading a joint debt or undertaking in abatement unless a special affidavit of merits be annexed thereto, was read the first time.

And on motion of Mr. Macdonell of York, seconded by Mr. Sheriff Macdonell, the same was ordered to be read a second time on Thursday next.

Mr. Sheriff Macdonell, one of the Messengers named to carry up to the Honorable the Legislative Council the Bill for enabling the Governor, Lieutenant Governor, or person administering the Government to license and grant encouragement to stage drivers, reported that they had carried up the said Bill and requested their concurrence in passing the same.

Mr. Sherwood, first named to carry up the Bill to enlarge the authority of Poundkeepers to the Honorable the Legislative Council and to request their concurrence in passing the same, reported that they had carried up the said Bill.

Read for the second time, the Bill for the better ascertaining and securing of titles to land in this Province.

Then Mr. Rogers, seconded by Mr. Swayzie, moved that the House do now resolve itself into Committee to take the said Bill into consideration.

And the House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Rogers was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Rogers reported that the Committee had gone through the consideration of the said Bill without any amendments.

Which report was accepted.

And then Mr. Macdonell of York, seconded by Mr. Thompson, moved that the said Bill be recommitted to-morrow.

After which Mr. Clench, seconded by Mr. Swayzie, moved in amendment that instead of the words "recommitted to-morrow" be inserted "read this day three months."

The motion as amended having been thereupon put, the same passed in the negative.

And the main question having been put, the same was carried in the affirmative, and the said Bill was ordered to be recommitted to-morrow.

The engrossed Bill for granting relief to the Religious Society called Methodists was read a third time.

Ordered, That the title of the said Bill be "An Act further to extend the provisions of an Act passed in the second Session of the first Provincial Parliament of Upper Canada entitled "An Act to confirm and make valid certain marriages heretofore contracted in the country now comprised within the Province of Upper Canada, and to provide for the further solemnization of marriage within the same"

The Bill then passed and was signed by Mr. Speaker.

And then, on motion of Mr. Clench, seconded by Mr. Rogers,

Ordered, That Messrs. Sherwood, Swayzie and Beasley do carry up the said Bill to the Honorable the Legislative Council and request their concurrence in passing the same.

On motion of Mr. Ferguson, seconded by Captain Elliott, the House adjourned.

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*Wednesday, 16th. June, 1802.*

Prayers were read.

Agreeable to the Order of the Day was read for the first time a Bill to amend an Act passed in the forty first year of His Majesty's Reign, entitled "An Act for granting to His Majesty, his Heirs and Successors, to and for the uses of this Province, the like duties on goods and merchandise brought into this Province from the United States of America as are now paid on goods and merchandise imported from Great Britain and other places.

Then on motion of Mr. Macdonell of York, seconded by Mr. Clench,

Ordered, That the said Bill be read a second time on Friday next.

The Bill entitled "An Act to ascertain and establish on a permanent footing the Boundary Lines of the Townships of this Province" was read for the first time.

Then on motion of Mr. Thompson, seconded by Mr. Sherwood,

Ordered, That the said Bill be read a second time to-morrow.

Agreeable to the Order of the Day, was read for the second time the Bill for imposing a tax on Hawkers and Pedlars.

Then Mr. Macdonell of York, seconded by Mr. Clench, moved that the House do now resolve itself into Committee on the said Bill.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Sherwood was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Sherwood reported that the Committee had made some progress and directed him to ask for leave to sit again.

Leave was accordingly granted.

The Bill to amend and explain an Act passed in the thirty third year of His Majesty's Reign entitled "An Act for the more easy and speedy recovery of small debts" was read for the second time.

Then on motion of Mr. Clench, seconded by Mr. Beasley, the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Nelles was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Nelles reported that the Committee had gone through the consideration of the said Bill, and did direct him to report that it was the opinion of the Committee that the further consideration of the said Bill be put off for three months.

Then Mr. Sherwood moved, seconded by Mr. Clench, that the report as now ordered by the Committee be not resolved, and that the said Bill be engrossed and read a third time to-morrow.

A division thereupon took place, and the names were ordered to be taken down, and are as follows.

## YEAS.

MESSRS. SHERWOOD  
WASHBURN  
BEASLEY  
McCRAE  
CLENCH  
SWAYZIE

## NAYS.

MESSRS. MACDONELL (York)  
WEAGER  
NELLES  
ROGERS  
SOLICITOR GEN'L.  
MACDONELL (Glengarry)  
THOMPSON  
SH'FF. MACDONELL  
FERGUSON  
ELLIOTT

The same passed in the negative by a majority of four.

Then the Report was accepted and ordered accordingly.

The Act to regulate the Statute Labour to be done in this Province was read for the second time.

Then on motion of Mr. Rogers, seconded by Mr. Nelles, the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.



Mr. Swayzie reported that the Committee had gone through the consideration of the Bill and had made some amendments thereto, which Report was accepted.

Then the said Bill was ordered to be engrossed and read a third time to-morrow.

Mr. Solicitor General moved, seconded by Mr. Weager, that so much of the Order for this Day as the House had not taken into their consideration be discharged, and that the same make a part of the Order of the Day to-morrow.

Ordered accordingly.

Then on motion of Mr. Swayzie, seconded by Mr. Weager, the House adjourned.

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*Thursday, 17th. June, 1802.*

Prayers were read.

Mr. Sheriff Macdonell moved, seconded by Mr. Clench, that the Committee appointed to draught Rules for the guidance of this House (in addition to those already adopted) do on to-morrow report what progress they have made therein.

It was ordered accordingly.

Then Mr. Sheriff Macdonell, seconded by Mr. Swayzie, moved that so much of the Order of the Day as directs the Bill entitled "An Act to regulate the Statute Labour to be done on the Highways" to be read a third time this day, be discharged, and that the same be read on Saturday next.

The House being divided, Mr. Speaker gave his vote for the Bills being read a third time on Saturday next.

It was then ordered that the said Bill be read as engrossed on Saturday next.

On motion of Mr. Macdonell of York, seconded by Mr. Sherwood, the House resolved itself into Committee to take up the further consideration of the Bill for laying assessments throughout this Province.

Mr. Speaker left the Chair.

Mr. Macdonell of Glengarry was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported that the Committee had gone through the consideration of the said Bill, and had made some amendments thereto which he was directed to report to the House whenever they shall be pleased to receive the same.

The House resolved that the said Report be now accepted, and Ordered that the said Bill as amended be engrossed and read a third time on Saturday next.

The Bill to enable the Governor, Lieutenant Governor, or person administering the Government for the time being to establish places or ports of entry in this Province, was read for the second time.

On motion of Mr. Solicitor General, seconded by Mr. Macdonell, the House resolved itself into Committee to go into the further consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Thompson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Thompson reported that the Committee had gone through the consideration of the said Bill and had made some amendments thereto, which he was desired to report.

The said Report was accepted, and the Bill was ordered to be engrossed as amended and read the third time to-morrow.

By Order of the House the Petition of the Honorable Peter Russell, Esquire, was read, and is as follows.

To the Honorable the Speaker and the Members of the House of Assembly of Upper Canada in Provincial Parliament assembled.

The Petition of Peter Russell, Esquire, Receiver General.

Humbly Sheweth,

That the Legislature of this Province having been pleased to direct that the monies arising from duties payable under Acts of the Parliament of this Province shall be paid into the hands of His Majesty's Receiver General as Treasurer for the time being, and applied by him for the purposes therein set forth,

And clauses having been inserted in certain of the said Acts making it lawful for the said Receiver General to deduct from and out of the several sums by him received Three Pounds for every hundred Pounds that may be raised, levied, collected, and paid by virtue thereof, and the Legislature having been further pleased by an Act passed in the fourth Session of the first Parliament of this Province, to empower the Receiver General for the time being to appoint an Attorney to act for him in Lower Canada in receiving and in granting sufficient receipts and discharges for all sums of money that may become due or payable from the Province of Lower Canada to this Province &c. Your Petitioner has hitherto conceived himself to be fully authorized to charge three per cent against all monies that have come into his hands by virtue of Acts of the Parliament of this Province, and that having regularly paid half per cent (being the lowest he could get the business done for with safety to himself) to his Attorney or Agent, Mr. John Grey of Montreal, for receiving from the Receiver General of Lower Canada, and discharging the Lieutenant Governor's Warrants to him for this Province's annual proportions of the duties collected on imports and remitting the money to Your Petitioner or answering his bills for the same. Your Petitioner has constantly inserted in his General Account Current, annually presented to the Parliament, a charge of one half per cent. for his said Agent on the duties received by him from the Province of Lower Canada, which charge has been hitherto admitted by the Honorable House in their Committees on accounts, and his reasons for making it declared to be satisfactory, as signified by Order to Your Petitioner in a letter from your Clerk in the Session of 1799.

But it having been intimated to your Petitioner by the Inspector General of the Provincial Accounts that the charge of one half per cent for his agent in Lower Canada cannot with propriety be allowed unless sanctioned by Parliament, and that he doubts whether, under the present Act, the allowance of three per cent to the Receiver General can be extended to all Provincial moneys received by him. Your Petitioner humbly implores the Honorable House of Assembly to take his case into consideration and to adopt such measures as it may judge meet for the purpose of rendering it lawful for His Majesty's Receiver General to deduct three per cent from all duties and other moneys which have or may come into his hands by virtue of Acts of the Parliament of this Province; and also to deduct from the moneys that have been, are, or may become due and payable from the Province of Lower Canada to this Province, the sum of ten shillings for every hundred Pounds thereof as a remuneration to his agent in Lower Canada for his trouble in receiving and remitting the said moneys.

And your Petitioner as in duty bound will ever pray.

Peter Russell.

York, 14th. June, 1802.

Then Mr. Solicitor General moved, seconded by Mr. Rogers, that the House do take the said Petition into their consideration on Saturday next.

It was ordered accordingly.

Mr. Macdonell of York moved, seconded by Mr. Macdonell of Glengarry, that so much of the Order for this Day as the House had not taken into their consideration be discharged, and that the same make a part of the Order of the Day for to-morrow.

Ordered accordingly.

On motion of Mr. Swayzie, seconded by Mr. Nelles, the House adjourned.

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*Friday, 18th. June, 1802.*

Prayers were read.

On motion of Mr. Clench, seconded by Mr. Macdonell of York, he obtained leave to bring up the Petition of the Magistrates and Grand Jurors of the District of London.

The same was ordered to lie on the Table.

Mr. Clench, seconded by Mr. Beasley, moved for leave to bring in to-morrow a Bill to obviate certain doubts respecting the Jurisdiction of the Courts of Requests within this Province.

Leave was accordingly granted.

Then Mr. Macdonell of York, seconded by Mr. Swayzie, moved for leave to bring in on to-morrow a Bill for appropriating a certain sum of money to make good the loan of last year.

It was granted accordingly.

Mr. Macdonell, Member for York, gave notice that he intends to-morrow to move for an Address to His Excellency the Lieutenant Governor praying that it may please His Excellency to institute a Board in this Province for encouraging the growing, dressing, and exporting of hemp upon principles analogous to and established in our Sister Province of Lower Canada.

Agreeable to the Order of the Day, Mr. Macdonell of York, one of the Special Committee appointed to draught rules for the guidance of this House, reported that the Committee had draughted some rules in addition to those already made, which he was ready to submit to the House whenever it should be pleased to receive the same.

Ordered, That the Report be now received.

Which Report be read in his place.

Then on motion of Mr. Macdonell of York, seconded by Mr. Swayzie,

Ordered, That the said Rules do lie on the Table.

An Act to amend an Act for the more summary conviction of persons selling Spirituous Liquors without License was read for the first time.

On motion of Mr. Macdonell of York, seconded by Mr. Swayzie, the House resolved itself into Committee on the Bill for securing Titles to Land.

Mr. Speaker left the Chair.

Mr. Rogers was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported that the Committee had made a progress, and desired him to ask for leave to sit again this day.

Leave was accordingly given.



A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this House that they have passed the Bill for establishing Post Houses throughout this Province, with amendments, to which amendments they request the concurrence of the House of Assembly.

And then withdrew.

Then Mr. Macdonell of York moved, seconded by Mr. Clench, that the said Bill and Amendments made by the Legislative Council be not read.

Ordered accordingly.

Then Mr. Speaker left the Chair.

Mr. Rogers retook the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported progress, and asked for leave to sit again to-morrow.

Leave was granted.

Read for the second time, the Bill restraining joint obligations.

Then, on motion of Mr. Macdonell of York, seconded by Mr. Clench, the House resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Weager was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Weager reported that the Committee had gone through the consideration of the said Bill, and had desired him to report whenever this House would be pleased to receive the same, that the further reading of the said Bill should be put off for three months.

Which Report was accepted and ordered accordingly.

Read for the third time.

The engrossed Bill for allowing the Governor, Lieutenant Governor, or person administering the Government, to appoint Ports or Places of Entry in this Province.

Then Mr. Macdonell of York moved, seconded by Mr. Clench, that the following be an additional clause to the said Bill. "Provided nevertheless that nothing herein contained shall extend or be construed to extend to authorize the Governor, Lieutenant Governor, or person administering the Government, to erect any additional Ports or Places of Entry in any District wherein Ports or Places of Entry are already by Law established, the Western District excepted."

The same passed in the negative.

Mr. Sherwood moved, seconded by Mr. Ferguson, that the words "any additional Ports or Places of Entry" be expunged, and the words "appoint another collector or collectors" be substituted in lieu thereof.

Carried in the negative.

Then Mr. Solicitor General, seconded by Mr. Macdonell of Glengarry, moved that the title of this Bill be "An Act to enable the Governor, Lieutenant Governor, or person administering the Government of this Province, to appoint one or more additional Port or Ports, Place or Places of Entry within this Province, and to appoint one or more Collector or Collectors at the same respectively."

Ordered accordingly.

Mr. Solicitor General moved, seconded by Mr. Macdonell of Glengarry, that Mr. Rogers, Mr. Thompson and Mr. Swazey do carry up the said Bill to the Legislative Council and request their concurrence.

Ordered accordingly.

Read for the second time the Bill for ascertaining Boundary lines.

Mr. Thompson then moved, seconded by Mr. Ferguson, that the said Bill be taken into consideration on Monday next in a Committee of the whole House.

Ordered accordingly,

An Act to amend an Act passed in the forty fourth year of His Majesty's Reign entitled "An Act for granting to His Majesty, his Heirs and Successors, certain duties on Merchandise coming into this Province from the United States of America" was read for the second time.

Then Mr. Macdonell of York, seconded by Mr. Swayzie, moved that the House do resolve itself into Committee on Monday next on the said Bill.

The same was ordered accordingly.

The Bill for the more speedy recovery of small debts was read for the second time.

Then Mr. Solicitor General moved, seconded by Mr. Sherwood, that this House do resolve itself into Committee to-morrow on the said Bill.

Ordered accordingly.

On motion of Mr. Clench, seconded by Mr. Swayzie,

Ordered, That Messrs. Rogers, Nelles and Weager do carry up to the Honorable Legislative Council the Bill empowering the Governor, Lieutenant Governor, or person administering the Government to appoint Ports or Places of Entry in this Province.

On motion of Mr. Weager, seconded by Mr. Swayzie, the House adjourned.

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*Saturday, 19th. June, 1802.*

Mr. Thompson, seconded by Mr. Sherwood, moved that Mr. Weager's attendance in this House during the present Session be dispensed with.

Leave of absence was accordingly granted.

Mr. Clench, seconded by Mr. Beasley, obtained leave to bring in the Petition of Colin McNabb, Esquire, which was ordered to lie on the Table.

Mr. Sherwood, seconded by Mr. Washburn, moved for leave to bring in a Bill on Monday next to provide for the payment of salaries to the Judges of the District Court throughout this Province.

Upon which, Mr. Macdonell of York, seconded by Mr. Clench, moved to amend the motion by expunging the words "Monday next" and inserting the words "three months hence."

The House divided upon the question, and the names being called for, they were taken down and are as follows.

## YEAS.

MESSRS. SWAYZIE  
 MACDONELL (York)  
 CLENCH  
 BEASLEY  
 NELLES  
 McCRAE  
 ROGERS  
 SHERIFF MACDONELL

## NAYS.

MESSRS. SOL'R GENERAL  
 SHERWOOD  
 WASHBURN  
 MACDONELL (Glengarry)  
 ELLIOTT  
 FERGUSON  
 WEAGER

Carried in the affirmative by a majority of one, and ordered accordingly.

Then the main question was put, and the same passed in the negative.

Mr. Sheriff Macdonell moved, seconded by Mr. Swayzie, for leave to bring in on Tuesday next a Bill to authorize the Governor, Lieutenant Governor, or Person administering the Government for the time being, to license certain persons to let and hire Post Horses and Carriages, and to give encouragement to such persons so licensed for that purpose, and to regulate the conduct of the same.

Leave was accordingly granted.

Mr. Rogers, first named of the Committee appointed for that purpose, reported that they had carried up to the Legislative Council the Bill entitled, "An Act empowering the Governor, Lieutenant Governor or person administering the Government, to appoint Ports or Places of Entry in this Province," and did request their concurrence.

Mr. Sherwood moved for leave to bring in on Monday next a Bill to appropriate a sum of money for the purpose of providing for the District Judges in this Province, which was seconded by Mr. Ferguson.

Upon which Mr. Macdonell of York, seconded by Mr. Clench, moved that the motion be amended by expunging the words "Monday next" and substituting in lieu thereof "eighteen months."

A question of privilege was now agitated, and debates ensuing the House was thereupon cleared.

The House being again opened, Mr. Macdonell of York, seconded by Mr. Sheriff McDonell, called for Privileges, and the House was again shut.

The doors were again opened, and then Mr. Swayzie, seconded by Mr. Macdonell of York, moved that the House do now adjourn, which was carried in the negative.

Then again Mr. Macdonell of York claimed privilege and required the House should be cleared.

When the House was again opened Mr. Macdonell of York, seconded by Mr. Nelles, moved that the doors be now shut, which was carried in the negative.

Then the original question was put as amended, and stands as follows, "for leave to bring in a Bill in eighteen months to appropriate a sum of money for the purpose of providing for the District Judges in this Province" and carried in the affirmative.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

The Honorable Legislative Council have commanded me to inform this House that they have passed the Bill entitled "An Act to amend an Act passed in the thirty-fourth year of His Majesty's Reign entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep, and swine to run at large," with



some amendments, to which amendments they request the concurrence of the House of Assembly.

And then withdrew.

Then Mr. Macdonell of York moved, seconded by Mr. Clench, that the Bill returned by the Legislative Council as amended be not now read.

Ordered accordingly.

An Act to obviate certain doubts respecting the jurisdiction of the Court of Requests within this Province was read the first time.

Then Mr. Clench, seconded by Mr. Macdonell of York, moved that the said Bill be read a second time on Monday next.

Ordered accordingly.

Read for the first time, An Act for applying certain sums of money to make good the loan requested last Session.

Mr. Macdonell of York, seconded by Mr. Swayzie, moved, according to the notice given yesterday, that this House do vote an Address to His Excellency the Lieutenant Governor, praying that he be pleased to institute a Board in this Province to encourage the culture, dressing, and exportation of hemp, upon the same principles as that established in our Sister Province of Lower Canada.

Then Mr. Ferguson moved, seconded by Mr. Rogers in amendment, that the House do go into consideration of the said Address in eighteen months hence.

The same passed in the negative.

Then the main question was put, and the same was carried in the affirmative, and ordered accordingly.

Mr. Washburn moved, seconded by Mr. Ferguson, that what remains on the Order of the Day be dispensed with, and the House do now adjourn.

Then Mr. Macdonell of York, seconded by Mr. Ferguson, moved in amendment, that so much of the Order of the Day as hath not been disposed of be considered as part of the Order of the Day on Monday, and that the House do now adjourn.

The same passed in the negative.

Then the previous question was put, and the same was carried in the negative.

The Petition of the Hon. Peter Russell, Esquire, was read.

Then, on motion of Mr. Solicitor General, seconded by Mr. Macdonell of York, the House resolved itself into Committee to take up the consideration of the position of the Hon. Peter Russell, Esq.

Mr. Speaker left the Chair.

Mr. Washburn was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported that it is the opinion of the Committee that the prayer of the petition of the Hon. Peter Russell, Esq. be granted, and that a Committee be appointed to draught a Bill for that purpose, and that they report on Monday.

Which Report was accepted, and ordered accordingly.

Then Mr. Rogers moved, seconded by Mr. Beasley, that the Solicitor General and Mr. Macdonell of York be a Committee to report a Bill agreeable to the recommendation of the Committee of the whole House on the petition of the Honorable Peter Russell, Esq.

It was ordered accordingly.

Mr. Ferguson moved, seconded by Mr. Macdonell of York, that the remainder of the Order of the Day be considered as a part of the Order of the Day for Monday next, and that the House do now adjourn.

It was so ordered, and the House adjourned accordingly until Monday next.

*Monday, 21st. June, 1802.*

Prayers were read.

Mr. Speaker informed the House that he had received a letter from Mr. Bell, Member for Leeds, acquainting him that his state of health was so bad that he was unable to attend his duty in Parliament this Session.

Mr. Washburn moved, seconded by Mr. Clench, for leave to bring in on tomorrow a Bill to ascertain and enlarge the power of the Pound-Keepers within this Province.

Leave was accordingly given.

On the motion of Mr. Rogers, seconded by Mr. Nelles, the House resolved itself into Committee to take into their further consideration the Bill to ascertain and secure the titles to lands in this Province,

Mr. Speaker left the Chair.

Mr. Rogers was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported that the Committee had gone through the consideration of the Bill for ascertaining the titles to lands in this Province with some amendments, which he was desired to report whenever the House shall be pleased to receive the same.

Ordered, That the Report be now received.

Which Report was accepted.

Then Mr. Ferguson, seconded by Mr. Thompson, moved that the said Bill be engrossed and read a third time on Wednesday next.

Ordered accordingly.

A message from the Honorable the Legislative Council by Mr. Burns, Master in Chancery,

Mr. Speaker,

The Honorable Legislative Council have commanded me to inform this Honorable House that they have passed a Bill entitled "An Act to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province to license Practitioners in the Law,

And then withdrew.

Read for the third time the engrossed Bill for the more uniform laying of assessments and rates within this Province.

Then Mr. Ferguson moved, seconded by Mr. Clench that the words "fireplace or fireplaces" in every part of the Bill be expunged, and the words "every flue in every chimney" be substituted in lieu thereof.

The same passed in the negative.

Then Mr. McCrae moved, seconded by Capt. Elliott, that the word "pounds" be expunged, and the word "shillings" be inserted in lieu thereof.

Ordered accordingly.

Mr. Sherwood, seconded by Mr. Washburn, moved that the article that regards stills be expunged from the Bill.

The same was carried in the affirmative.

Then Mr. Sherwood moved, seconded by Mr. McCrae, that the words "half-penny" be expunged, and the word "penny" be inserted.

It passed in the negative.

Mr. Sheriff Macdonell, seconded by Mr. Ferguson, moved that the words "half penny" be expunged, and the words "three farthings" be inserted.

Carried in the negative.



Mr. Rogers moved, seconded by Mr. Clench, that the words "parish, township, or reputed township" be expunged, and the words "in this Province" be inserted.

Then Mr. Beasley moved in amendment, seconded by Mr. Nelles, that the word "township" be expunged, and the word "District" be inserted.

The same passed in the negative.

Then the main question was put and carried in the affirmative, and ordered accordingly.

Mr. Macdonell of York, seconded by Mr. Clench, moved that as an additional clause be inserted "and be it further enacted by the authority aforesaid that this Act shall be in force for two years to the end of the then next session of Parliament and no longer."

Ordered accordingly.

Read for the first time,

The Bill to authorize the Governor, Lieutenant Governor, or person administering the Government, to license Practitioners in the Law.

Mr. Clench moved, seconded by Mr. Sherwood, that the said Bill be read this day three months.

Ordered accordingly.

Read for the third time the engrossed Bill regulating the Statute Labor to be done on the King's Highways throughout this Province.

Then Mr. Sherwood moved, seconded by Mr. Swayzie, that the title of the said Bill be "An Act to alter and amend the method of performing Statute Labour on the Highways and Roads within this Province, and also to repeal an Act passed in the thirty eighth year of His Majesty's Reign entitled "An Act to Alter the method of performing Statute Duty on the Highways and Roads within this Province."

Ordered accordingly, the same was passed, and signed by Mr. Speaker.

Mr. Clench moved, seconded by Mr. Swayzie, that Messrs. Sherwood, Macdonell of York and Nelles do carry up to the Legislative Council the Bill for regulating Statute Labour to be done on the King's Highways, and request their concurrence in passing the same.

Ordered accordingly.

Mr. Macdonell of York, seconded by Mr. Swayzie, moved that the title of the Assessment Bill be "An Act for the more uniform laying of assessments and rates within this Province, and for repealing certain parts of an Act passed in the thirty third year of His Majesty's Reign entitled "An Act to authorize and direct the laying of assessments and rates in every District within this Province, and to provide for the payment of wages to the Members of the House of Assembly" and certain parts of another Act, passed in the thirty fourth year of His Majesty's Reign entitled "An Act to amend certain parts of an Act passed in the thirty-third year of His Majesty's Reign, entitled "An Act to authorize the laying and collecting of assessments and rates within this Province, and to provide for the payment of wages to the Members of the House of Assembly."

Ordered accordingly.

Read for the first time,

The Bill for allowing the Hon. Peter Russell, Esq. to charge a certain commission on monies received by him.

Then Mr. Rogers moved, seconded by Mr. Nelles, that this Bill be read a second time to-morrow.

It was so ordered.



Read for the second time a Bill to obviate doubts respecting the Courts of Requests.

On motion of Mr. Clench, seconded by Mr. Rogers, the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Beasley was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Beasley reported a progress and was directed to ask for leave to sit again.

Leave was accordingly granted.

Mr. Solicitor General, seconded by Mr. Thompson, moved that so much of the Order of the Day as relates to the second reading of the Bill for the more easy recovering of debts be discharged,

Then Mr. Macdonell of York, seconded by Mr. Macdonell of Glengarry, moved in amendment, that after the word "be" the word "discharged" be expunged, and in lieu thereof that the words "read this day" be inserted.

The same passed in the negative.

Then the main Question was put and the same was carried in the affirmative.

And was ordered accordingly.

The Bill for the more uniform laying of assessments and rates within this Province passed, and was signed by Mr. Speaker.

Then it was ordered, that Messrs. Sherwood, Macdonell of York and Nelles, do carry up to the Hon. Legislative Council the said Bill, and request their concurrence in passing the same.

Read for the second time the Bill to ascertain the Boundary Lines of the different townships throughout this Province.

Then, on motion of Mr. Thompson, seconded by Mr. Sherwood, the House resolved itself into Committee to take up the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Clench was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Clench reported that the Committee had gone through the consideration of the said Bill without any amendments, which he was directed to report whenever the House would be pleased to receive the same.

Ordered, That the said Report be now received, and that the said Bill be engrossed and read a third time on Thursday next.

Agreeable to the Order of the Day was read the Petition of the Magistrates and Grand Jurors of the District of London, and is as follows.

To the Honorable the Legislature of  
Upper Canada in Parliament assembled.

The petition of the Magistrates and Grand Jurors of the District of London,  
Humbly Sheweth,

That your petitioners labour under considerable inconvenience by being compelled by law to hold their Court in the town of Charlotteville. Your Petitioners humbly pray the law may be altered in such manner as to enable them to hold their Courts in the township of Charlotteville.

And your Petitioners as in duty bound will ever pray.

As was also the petition of Colin McNabb, Esq. Collector at Niagara, and is as follows.

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General Commanding his Majesty's Forces in the Province of Upper Canada &c. &c. and to the Honorable the Legislative Council and Commons of Upper Canada in Parliament assembled.

The Petition of Colin McNabb, Collector of His Majesty's Customs in and for the Port of Niagara,

Humbly Sheweth,

That Your Petitioner, having occasion for an office wherein to discharge the duties of his appointment, humbly prays that it may please Your Excellency to permit one to be built upon such part of the Public Ground reserved for the use of the Crown, near the town of Niagara, as may be suitable to the purpose.

That Your Petitioner humbly hopes that as the Office will be for the use of His Successors in situation the expense may be ordered by Your Excellency and Honours to the Public charge, and conceives that one hundred Pounds will defray the expense of the object.

And Your Petitioner as in duty bound will ever pray.

7th. June 1802.

Colin McNabb.

Then the House resolved itself into Committee on the Bill to amend an Act passed in the forty first year of His Majesty's Reign, entitled "An Act for granting to His Majesty, His Heirs and Successors, certain duties on merchandise coming into this Province from the United States of America.

Mr. Speaker left the Chair.

Capt. Elliott was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Capt. Elliott reported a progress, and was directed to ask for leave to sit again.

Leave was accordingly granted.

Then, on motion of Mr. McCrae, seconded by Mr. Swayzie, the House adjourned.

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*Tuesday 22nd. June 1802.*

Prayers were read.

Mr. Sheriff Macdonell, seconded by Mr. Rogers, moved for leave to bring in on to-morrow a Bill to authorize the Governor, Lieutenant Governor, or person administering the Government, to license Advocates and Attornies for the conduct of legal proceedings in this Province.

Leave was accordingly granted.

Mr. Clench, seconded by Mr. Swayzie, moved for leave to bring in to-morrow a Bill to declare and establish what shall be deemed and taken to be the Public Roads throughout this Province.

Ordered accordingly.

Read for the first time a Bill to License certain persons to let and hire out Post Horses and Carriages.

Then Mr. Sheriff Macdonell, seconded by Mr. Swayzie, moved that the said Bill be read a second time to-morrow.

The same was ordered accordingly.

Mr. Sherwood, first named from the Committee, reported that they had carried up to the Honorable Legislative Council the Bill to regulate the Statute

Labour to be done on the King's Highway throughout the Province, and did request their concurrence in passing the same. He further reported that they had also carried up to the Honorable Legislative Council for their concurrence a Bill for the more uniform laying of assessment within this Province.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this Honorable House that they have passed the Bill entitled "An Act to enable the Governor, Lieutenant Governor, or person administering the Government of this Province to appoint one or more additional port or ports, place or places of entry within this Province, and to appoint one or more Collector or Collectors at the same respectively," without any amendment.

And then withdrew.

Mr. Washburn moved, seconded by Mr. Sherwood, that the Bill to extend the power of the Poundkeepers be read a second time to-morrow.

Ordered accordingly.

Mr. Ferguson, seconded by Mr. Swayzie, moved that this House do now resolve itself into a Committee to take into consideration the Rules of this House as revised, and those in addition as reported by the Committee appointed for the purpose above mentioned, in order that the said Committee of the Whole House do accept such, and make such other rules as to them may seem necessary.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported that the Committee have taken into their consideration the revised rules together with the new rules as proposed by the Select Committee, and that he was desired to report the same to the House, and is as follows.

1. That eleven Members shall be a Quorum of the House, including the Speaker.

2. That every Bill shall be read twice before it is committed and engrossed and read a third time before it is sent up for concurrence.

3. That a Bill of a Private nature shall be brought in by petition of a public nature by motion.

4. That when the House resolves itself into a Committee the Speaker leaves the Chair.

5. That a Member intending to move any question shall give one day's previous notice.

6. That a petition being brought up be ordered to lie on the Table at least two days before it is read.

7. That the Chaplain shall read prayers every day at the opening of the House.

8. That no Member do speak oftener than once to one question the same day, except in Committee.

9. That every day immediately after the Speaker shall have taken the Chair the Minutes of the preceding day shall be read by the Clerk, to the end that any mistake therein may be corrected by the House.



10. That the Speaker shall always take the Chair when Black Rod is at the Door if there be a quorum.

11. That when the House adjourns the Members shall keep their seats until the Speaker leaves the Chair.

12. That when the Speaker is obliged to adjourn the House for want of a quorum the names of the Members then present shall be inserted in the journals.

13. That the Speaker shall preserve order and decorum, and shall decide all questions of order subject to an appeal of the House.

14. That every Member previous to speaking shall rise from his seat and address himself to the Speaker.

15. That every Member may of right enquire the question or motion in discussion to be read for his information at any time of the debate, but not so as to interrupt the Member speaking.

16. That no Member shall speak more than once to the same question without leave of the House, except in explanation of a material part of his speech which may have been misconceived, but then he is not to introduce new matter.

17. That in all unprovided cases resort shall be had to the rules, usages and forms of the Parliament of Great Britain, which shall be followed until this House shall think fit to make a rule or rules applicable to such unprovided case or cases.

18. That no motion shall be debated or put unless the same be in writing, and seconded.

19. That after a motion is read by the Speaker it shall be deemed to be in possession of the House, but may be withdrawn at any time before decision or amendment, with permission of the House.

20. That a motion for commitment until it is decided shall preclude all amendment of the main question.

21. That when a Bill is read in the House the Clerk shall certify the readings and the time on the back.

22. That no strangers shall be admitted within the Bar, unless by permission or request of the Speaker.

23. That whilst any Member is speaking every other Member must be seated, nor shall any Member rise until the Member speaking shall have seated himself.

24. That when the Speaker calls a Member to the Chair of a Committee such Member shall immediately take the chair without argument or comment.

25. That the Yeas and Nays upon any question be taken down in the minutes in the several columns by the Clerk and entered in the Journals in the same manner, at the request of any one Member.

26. That no rule adopted by this House shall be dispensed with unless by the concurrent consent of at least nine of the Members then in the House.

27. That a motion to adjourn shall always be in order.

Which Rules they respectfully recommend to be adopted by the House having caused the same to be signed by the Chairman in order that their Report may be certified and entered at length upon the journals.

House of Assembly

22nd. June 1802.

John Ferguson

Chairman of Com.

Which Report was accepted, and ordered accordingly.

Mr. Sherwood, seconded by Mr. Macdonell of York, moved that the Speaker be authorized to have the Rules adopted by the House printed, and that one copy be sent to each Member.

The same passed in the negative.

Then Mr. Macdonell of York, seconded by Mr. Swayzie, moved that the Bill to ascertain and declare the rates allowable to the Receiver General be now read a second time.

Ordered accordingly, and the same was read for the second time.

On motion of Mr. Swayzie, seconded by Mr. Macdonell of York, the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. McCrae was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McCrae reported that the Committee had gone through the consideration of the said Bill and desired him to report the same without any amendment.

Which Report was accepted.

Then Mr. Macdonell of York moved, seconded by Mr. Ferguson, that the said Bill be engrossed and read a third time to-morrow.

Ordered accordingly.

Mr. Clench, seconded by Mr. Sherwood, moved that this House do now resolve itself into Committee to take into their further consideration the Bill to obviate certain doubts respecting the jurisdiction of the Courts of Requests within this Province.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sheriff Macdonell reported that it is the opinion of the Committee that the further consideration of the said Bill be postponed for three months.

Then Mr. Clench moved, seconded by Mr. Beasley, that this Report be not accepted.

The House divided on the motion, and the names were taken down as follows:

#### YEAS.

MESSRS. CLENCH  
BEASLEY  
SHERWOOD  
MACDONELL (York)

#### NAYS.

MESSRS. FERGUSON  
ELLIOTT  
SHERIFF MACDONELL  
WASHBURN  
MACDONELL (Glengarry)  
ROGERS  
NELLES  
McCRAE  
SWAYZIE

It passed in the negative by a majority of five.

The report was then accepted, and ordered accordingly.

Mr. Sheriff Macdonell then moved, seconded by Captain Elliott, that one hundred copies of the Rules adopted for the guidance of this House be printed, and that they be distributed at pleasure by Mr. Speaker as well to the Members of the present Parliament as to the Members of succeeding Parliaments.

Ordered accordingly.

On motion of Mr. Swayzie, seconded by Captain Elliott, the House adjourned.

*Wednesday, 23rd. June, 1802.*

Prayers were read.

Mr. Ferguson, seconded by Mr. Rogers, moved that the following be added to the Rules adopted by this House. "That in order to expedite the business of the Legislature this House should not insist on the privilege claimed and exercised by them of laying aside Bills sent from the Legislative Council, because they impose pecuniary penalties, nor of laying aside amendments made by the Legislative Council because they introduce into or alter pecuniary penalties in Bills sent to them from this House; provided that all such penalties thereby imposed are only to punish or prevent crimes and offences, and do not tend to lay a burthen on the subject, either as aid and supply to His Majesty, or for any general or special purpose by rates, tolls, assessments or otherwise.

Mr. Macdonell of York, seconded by Mr. Ferguson, moved in amendment that after the word "House" in the fifth line the word "should" be expunged, and the word "shall" substituted in lieu thereof.

A division thereupon took place, and the names were taken down as follows.

YEAS.

MESSRS. FERGUSON  
SHERIFF MACDONELL  
MACDONELL (Glengarry)  
WASHBURN  
MACDONELL (York)  
THOMPSON  
ROGERS  
McCRAE  
NELLES

NAYS.

MESSRS. ELLIOTT  
SHERWOOD  
CLENCH  
SWAYZIE

Carried in the affirmative by a majority of five, and ordered accordingly.

Mr. Speaker informed the House that the first thing upon the Order of the Day was leave to bring in a Bill entitled "An Act to authorize the Governor, Lieutenant Governor, or person administering the Government, to license Advocates and Attorneys for the conduct of legal proceedings in this Province."

And upon putting the question, Shall this Bill be read a first time, a point of privilege arose, and debates ensued.

Upon which Mr. Sheriff Macdonell, seconded by Mr. Ferguson, moved that it is not the opinion of this House that the Rule made yesterday at two o'clock in the afternoon which directs that in all unprovided cases resort shall be had to the Rules, Usages, and Forms of the Parliament of Great Britain, which shall be followed until this House shall think fit to make a Rule or Rules applicable to such unprovided cases, should have a retrospective operation on a permission given to a Member to bring in a Bill on this Day,—which permission was granted at eleven o'clock of the forenoon of the same day on which the above mentioned Rule was adopted.

And then Mr. Sherwood moved, seconded by Mr. Macdonell of York, as an amendment, that it is the opinion of this House that a Rule made at two o'clock yesterday can have operation this morning.



The original motion and amendment were alternately contended for as differing in discussion upon privilege from ordinary motions. The Speaker was therefore obliged to appeal to the House, which he did in the following manner.

When a point of privilege arises it is privilege to put the original question or put the amendment the same as putting the previous question upon ordinary motion.

And the House divided as follows.

For putting the amendment.

For putting the original question.

MESSRS. BEASLEY

MESSRS. MACDONELL (York)

McCRAE

THOMPSON

ROGERS

SHERWOOD

SOLICITOR GENERAL

NELLES

MACDONELL (Glengarry)

CLENCH

SHERIFF MACDONELL

SWAYZIE

ELLIOTT

FERGUSON

WASHBURN

Carried by a majority of three for putting the original question in discussing privilege.

Mr. Sheriff Macdonell's motion was then put and carried in the affirmative.

After which the Bill entitled "An Act to authorize the Governor, Lieutenant Governor, or person administering the Government, to license Advocates and Attorneys for the conduct of legal proceedings in this Province" was read a first time by Mr. Macdonell in his place.

And Mr. Washburn then moved that so much of the seventeenth Rule of this House, made yesterday be dispensed with until the end of this session, as it affects a Bill before the House, which was seconded by Mr. Ferguson.

Who thereupon moved in amendment that after the word "affect" the words "a Bill" be expunged, and the word "Bills" be inserted in lieu—which was seconded by Captain Elliott, but withdrawn by permission of the House.

The original motion by Mr. Washburn was then put and carried in the negative.

Then Mr. Rogers moved that the Rule or custom of Parliament that directs that no Bill of the same substance be brought in a second time the same Session, be not binding on this House,—which was seconded by Mr. Ferguson, and carried in the negative.

Then Mr. Sheriff Macdonell moved that the Bill entitled "An Act to authorize the Governor, Lieutenant Governor, or person administering the Government, to license Advocates and Attorneys for the conduct of legal proceedings in this Province" be read a second time to-morrow,—which was seconded by Mr. McDonell of Glengarry.

And thereupon a question of privilege arose, and debate ensued.

The Speaker put the question, shall the question be put, which was carried in the affirmative.

And then he proceeded to put the motion, upon which privilege was again claimed and debates again ensued.

Then again the Speaker put the question for the reading of the Bill a second time to-morrow, and it was carried in the affirmative and ordered accordingly.

The Solicitor General, in his place, presented a Message signed by the Lieutenant Governor, which was read, the Speaker and the House being uncovered, and is as follows.

P. Hunter, Lieutenant Governor.

The Lieutenant Governor having this day under the authority and according to the provisions of a certain Act passed in the second session of the second Parliament of this Province, to which the Royal assent was promulgated on the first day of January in the fortieth year of His Majesty's Reign entitled "An Act for the better division of this Province" issued his proclamation declaring that the Counties of Northumberland and Durham, with all the land in their rear, confined within their extreme boundaries, produced north sixteen degrees, west until they intersect the northern limits of this Province; do under and by virtue of that Act constitute and form a separate District thereof, to be called the District of Newcastle, and as further Parliamentary aid is necessary to enable the said District of Newcastle to possess and enjoy the like privileges and advantages as are now possessed and enjoyed by the other Districts of this Province, he requests that you would take the situation of that district into your consideration, and make such provision concerning the same as to you shall seem fit.

P. H.

Dated at York this 23rd. day  
of June 1802.

Then the Solicitor General moved, seconded by Mr. Rogers, that a committee be appointed to carry into effect the intention of His Excellency, the Lieutenant Governor's message just read.

Ordered unanimously.

Mr. Rogers moved, seconded by Mr. McCrae, that Mr. Thompson and Mr. Macdonell of York be a Committee for the purpose.

Mr. Macdonell of York, seconded by Mr. Thompson, moved as an amendment that Mr. Rogers be added to the Committee.

The previous question was accordingly put, and the original motion passed with the amendment.

Mr. Sheriff Macdonell moved, seconded by Mr. Rogers, that an humble Address be presented to His Excellency, the Lieutenant Governor, to return His Excellency the thanks of this House for his message requesting them to take into consideration the situation of the District of Newcastle.

Ordered unanimously.

Then Mr. Sheriff Macdonell moved, seconded by Mr. Rogers, that the Solicitor General, Mr. Sherwood and Mr. Clench be a Committee to draft an Address to His Excellency the Lieutenant Governor.

Ordered accordingly.

Read, the Bill declaring what shall be deemed Public Roads in the Province, for the first time.

Then Mr. Clench, seconded by Mr. Rogers, moved that the said Bill be read a second time to-morrow.

Mr. Macdonell of York, seconded by Mr. Thompson, moved to amend the motion by expunging the word "to-morrow" and inserting the words "in three months"—which motion was afterwards withdrawn by permission of the House, and the original motion being put was carried and ordered to be read a second time to-morrow.

Then was read for the third time the engrossed Bill to declare the percentage to be taken by the Receiver General of this Province.

The said Bill passed, and was signed by Mr. Speaker.

Then Mr. Macdonell of York moved, seconded by Mr. Rogers, that the title of the said Bill be "An Act to declare and ascertain the rates which the Receiver General shall take and retain to his own use out of the moneys passing through his hands which are subject to the disposition of the Parliament of this Province.

Ordered accordingly.

On motion of Mr. Clench, seconded by Mr. Nelles,

Ordered, That Messrs. Swayzie, Washburn and Macdonell (Glengarry) do carry up to the Honorable Legislative Council the said Bill and request their concurrence.

Then Mr. Macdonell of York, seconded by Mr. Sherwood, moved that the Rule respecting Bills which have already been rejected during the Session be dispensed with so far as it respects the present Bills.

Ordered accordingly.

On motion of Mr. Rogers, seconded by Mr. Swayzie, the House resolved itself into Committee on the Bill granting power to the Pound Keepers throughout this Province.

Mr. Speaker left the Chair.

Mr. Macdonell of York was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported that the Committee had gone through the consideration of the said Bill, which he was ordered to report without any amendment whenever the House should be pleased to receive the same.

Resolved, That the said Report be now received.

Which Report was received and accepted.

Mr. Washburn, seconded by Mr. Ferguson, moved that the words "or such part of such distress as shall be sufficient to defray all damages and expenses" be inserted.

The same passed in the negative.

Then Mr. Macdonell of York, seconded by Mr. Clench, moved that the words "or so much of the said distress" be inserted.

Ordered accordingly.

Mr Rogers moved, seconded by Mr. Clench, that this Bill be now engrossed and read a third time to-morrow.

The same was ordered accordingly.

Mr. Macdonell of York moved, seconded by Mr. Swayzie, that so much of the Rules of this House as direct that no Bill be read a second time during the same Session in which it has been rejected be dispensed with this day.

Ordered accordingly.

Mr. Sheriff Macdonell then moved an amendment, seconded by Mr. Ferguson, that after the word "that" the whole be expunged, and that in lieu thereof be inserted "coming within the spirit of the decision of this House upon a similar occasion this day" be now read a second time.

The same passed in the negative.

Then the main question was put, and carried in the affirmative.

And ordered accordingly.

Read for the second time the Bill giving power to establish Post Houses and carriages throughout this Province.

Then, on motion of Mr. Macdonell of York, seconded by Mr. Clench, the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.



Mr. Macdonell of Glengarry was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported a progress, and was directed to ask leave to sit again to-morrow.

Leave was accordingly granted.

Read for the third time the engrossed Bill for the better securing title to lands in this Province.

Then Mr. Ferguson moved, seconded by Mr. Thompson, that the title of the said Bill be, "An Act the better to ascertain and secure the title to lands in this Province."

Ordered accordingly, and then the Bill passed and was signed by Mr. Speaker.

Mr. Rogers, seconded by Mr. Swayzie, moved that the Messengers appointed to carry up to the Honorable Legislative Council the Bill to ascertain the rates to be taken by the Receiver General and to request their concurrence to carry up this Bill also to the Honorable Legislative Council, and request their concurrence

The same was ordered accordingly.

On motion of Mr. Clench, seconded by Mr. Swayzie, the House adjourned.

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*Thursday 24th. June 1802.*

Prayers were read.

Mr. McCrae moved, seconded by Mr. Beasley, that the House resolve itself into a Committee of the whole House on to-morrow, for the investigation of the Public Accounts.

Ordered accordingly.

Then Mr. Swayzie, seconded by Mr. Macdonell of York, moved that the House do resolve itself into committee to-morrow to take up the further consideration of the Bill regarding Hawkers and Pedlars.

It was ordered accordingly.

Mr. Ferguson, seconded by Mr. Solicitor General moved, that the following amendment be made to the 26th. rule of this House, that the words "concurrent consent of at least nine of" be expunged, and that the words "majority of" be inserted in lieu.

A division thereupon took place, and the names were ordered to be taken down, and are as follows.

YEAS.

MESSRS. SOLICITOR GENERAL  
WASHBURN  
FERGUSON  
ELLIOTT  
McCRAE

NAYS.

MESSRS. SHERIFF MACDONELL  
THOMPSON  
MACDONELL (Glengarry)  
SHERWOOD  
ROGERS  
NELLES  
BEASLEY  
CLENCH  
SWAYZIE

The same passed in the negative by a majority of four.

Mr. Swayzie, first named to carry up to the Hon. Legislative Council the Bill to declare the percentage to be taken by the Receiver General, and also the Bill to

ascertain and secure the title to lands reported that they had carried up the same and requested their concurrence.

Read for the third time, the Bill granting power to the Poundkeepers throughout this Province.

Which Bill passed and was signed by Mr. Speaker.

Then Mr. Rogers moved, seconded by Mr. Beasley, that Mr. Macdonell of York and Mr. Clench be a Committee to carry this Bill up to the Honorable the Legislative Council and request their concurrence.

Ordered accordingly.

Mr. Macdonell of York, first named to carry up the said Bill, reported that they had carried up the said Bill to the Honorable Legislative Council, and did request their concurrence.

Read for the second time, the Bill to ascertain what should be deemed the Public Roads throughout this Province.

Then on motion of Mr. Beasley, seconded by Mr. Nelles, the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Solicitor General was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Solicitor General reported that the Committee had made a progress, and did direct him to ask for leave to sit again to-morrow.

Leave was accordingly granted.

Mr. Sheriff Macdonell, seconded by Mr. Rogers, moved that so much of the Order of the Day as directs the second reading of a Bill to authorize the Governor, Lieutenant Governor, or person administering the Government, to license Advocates and Attorneys for the conduct of legal proceedings, be discharged, and that the same may be read for the second time on to-morrow

Ordered accordingly.

Agreeable to the Order of the Day the House resolved itself into Committee on the Bill for establishing Post Houses and Carriages throughout this Province.

Mr. Speaker left the Chair.

Mr. Nelles was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Nelles reported the Bill without any amendment.

Which report was accepted.

Then Mr. Sheriff Macdonell moved, seconded by Mr. Macdonell of Glengarry, that this Bill be engrossed and read a third time to-morrow.

Ordered accordingly.

Mr. Solicitor General, one of the Committee named to draft an Address to His Excellency the Lieutenant Governor, reported that the Committee had done so, which he read in his place, and is as follows.

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c. &c.

May it please Your Excellency.

We, His Majesty's faithful and loyal subjects, the Representatives of the Commons of Upper Canada in Parliament assembled, return to Your Excellency's Message relative to the District of Newcastle.

And we respectfully agree, Your Excellency, that we will take the situation of the said District into our immediate consideration, and shall contribute our

aid in extending it the like privileges and advantages now possessed and enjoyed by the other Districts of this Province.

Commons House of Assembly,  
York, 24th. June, 1802.

Ordered accordingly.

On motion of Mr. Macdonell of York, seconded by Mr. Swayzie, the House adjourned.

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*Friday, 25th. June, 1802.*

Prayers were read.

Mr. Macdonell of York, seconded by Mr. Clench, moved that so much of the Order of the Day as respects the going into the consideration this day of the Bill for licensing Hawkers, Pedlers and Petty Chapmen, be discharged.

Ordered accordingly.

Read for the third time, the Bill authorizing the Governor to license persons to keep Post Houses and carriages.

Then Mr. Sheriff Macdonell moved, seconded by Mr. Swayzie, that the title of this Bill be "An Act to authorize the Governor, Lieutenant Governor or person administering the Government for the time being to license certain persons to let and hire post Horses and carriages, to give encouragement to such persons so licensed for that purpose, and to regulate the conduct of the same."

Ordered accordingly.

The said Bill passed, and was signed by Mr. Speaker.

Mr. Macdonell of York moved, seconded by Mr. Macdonell of Glengarry, that Mr. Sheriff Macdonell and Mr. Captain Elliott be a Committee to carry up the said Bill to the Legislative Council and to request their concurrence in passing the same.

The same was ordered accordingly.

Agreeable to the Order of the Day the House resolved itself into a Committee on the Public Accounts.

Mr. Speaker left the Chair.

Mr. Sherwood was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Sherwood reported a progress, and asked for leave to sit again tomorrow.

Mr. Sheriff Macdonell, one of the messengers named, informed the House that they had carried up to the Hon. Legislative Council the Bill empowering the Governor, Lieutenant Governor or person administering the Government to license certain persons to let and hire Post Horses and carriages, and request their concurrence.

Agreeable to the Order of the Day the House resolved itself into Committee to take into their consideration what shall be deemed the Public Roads throughout this Province.

Mr. Speaker left the Chair.

Mr. Rogers was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr Rogers reported the Bill as amended.



Upon which Mr. Sheriff Macdonell moved, seconded by Mr. Macdonell of Glengarry, that this Report be not received.

On the question being put the House divided, and the names were ordered to be taken down, and are as follows:

## YEAS.

MESSRS. SHERIFF MACDONELL  
MACDONELL (Glengarry)  
WASHBURN  
MACDONELL (York)

## NAYS.

MESSRS. SWAYZIE  
NELLES  
FERGUSON  
CLENCH  
SOL'R. GEN.  
McCRAE  
ROGERS  
SHERWOOD  
ELLIOTT

The same passed in the negative by a majority of five, and the Report was accordingly accepted.

Then Mr. Clench moved, seconded by Mr. Nelles, that this Bill be engrossed and read a third time to-morrow.

Ordered accordingly.

Mr. Rogers, first named to carry an Address to His Excellency the Lieutenant Governor, in answer to his message to this House, setting forth that he had created a new District called Newcastle; reported that they had carried the said Address to His Excellency, to which His Excellency the Lieutenant Governor was pleased to make the following answer.

Gentlemen:—

I am very much pleased with your attention to the interests of this Province.

Read a second time, a Bill to authorize His Excellency the Lieutenant Governor to license Advocates and Attornies throughout this Province.

Then Mr. Sheriff Macdonell moved, seconded by Mr. Macdonell of Glengarry, That this House do now resolve itself into Committee to take this Bill into consideration.

The House resolved itself into Committee accordingly on the said Bill.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie informed the House that they had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report to the House whenever they were pleased to receive the same.

Then Mr. Sherwood moved, seconded by Mr. Macdonell of York, That the Report of the Committee be not accepted.

Then Mr. Clench moved, seconded by Mr. Nelles, that this Bill be engrossed and read a third time to-morrow.

Ordered accordingly.

Mr. Rogers, first named to carry an Address to His Excellency the Lieutenant Governor, in answer to his message to this House, setting forth that he had created

a new District called Newcastle; reported that they had carried the said Address to His Excellency, to which His Excellency the Lieutenant Governor was pleased to make the following answer.

Gentlemen:—

I am very much pleased with your attention to the interests of this Province.

Read a second time, a Bill to authorize His Excellency the Lieutenant Governor to license Advocates and Attornies throughout this Province.

Then Mr. Sheriff Macdonell moved, seconded by Mr. Macdonell of Glengarry, That this House do now resolve itself into Committee to take this Bill into consideration.

The House resolved itself into Committee accordingly on the said Bill.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie informed the House that they had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report to the House whenever they were pleased to receive the same.

Then Mr. Sherwood moved, seconded by Mr. Macdonell of York, That the Report of the Committee be not accepted.

The same passed in the negative.

Then the Report was received and accepted.

Mr. Macdonell of York, seconded by Mr. Washburn, moved that the following make an additional clause to the Bill. "And be it enacted by the authority aforesaid that it shall and may be lawful for the Advocates and Attornies who shall be hereafter appointed under this Act to practice in the Courts of Requests throughout this Province, and the said Courts of Requests shall have jurisdiction to the amount of Five Pounds in all cases to be tried by a Jury of six men whenever Plaintiff or Defendant may require the same. And the said Jury shall be summoned by a Constable at least two days previous to the day of trial, for which the said Constable shall be allowed six shillings. And the Advocates or Attornies conducting the suit through the said Court of Requests shall be allowed three shillings and nine pence to be paid by the party against whom judgment may be given, as well as the Constable's fees."

A division thereupon took place, and the names were taken down and are as follows.

#### YEAS.

MESSRS. SHERWOOD  
MACDONELL (York)  
WASHBURN  
CLENCH  
NELLES

#### NAYS.

MESSRS. THOMPSON  
ELLIOTT  
SHERIFF MACDONELL  
FERGUSON  
MACDONELL (Glengarry)  
SOLICITOR GENERAL  
ROGERS  
McCRAE  
BEASLEY  
SWAYZIE

The same passed in the negative by a majority of five.

Then Mr. Ferguson moved, seconded by Capt. Elliott, that the Bill be engrossed and read a third time on Monday.

Mr. Macdonell of York, seconded by Mr. Washburn, moved in amendment to expunge the word "Monday" and insert "Thursday."

The same was carried in the negative.

Then the Bill was ordered to be engrossed and read a third time on Monday.

On motion of Mr. Washburn, seconded by Mr. Macdonell of York, the House adjourned.

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*Saturday, 26th. June, 1802.*

Prayers were read.

Mr. Clench moved, seconded by Mr. Nelles, that leave of absence be granted to Richard Beasley, Esquire, one of the Members of this House, for ten days.

Leave of absence was accordingly granted.

Then Mr. Clench moved, seconded by Mr. Swayzie, for leave to bring in on Monday next a Bill entitled "An Act for making temporary provision for the District of London."

Ordered accordingly.

Mr. Macdonell of York moved, seconded by Mr. Swayzie, for leave to bring up and lay upon the Table the Petition in duplicate of the Inhabitants of the Home District, praying that the representation of the said District in Parliament be increased.

Leave was granted, and the petitions were ordered to lie on the Table.

Then Mr. Macdonell of York reported, That the Committee ordered to draft a Bill relative to the District of Newcastle had done so, which Bill they are ready to deliver whenever the House will be pleased to receive the same.

Ordered, That the draft of the said Bill be now received and read for the first time.

The said Bill was received and read for the first time.

Mr. Rogers moved, seconded by Mr. Nelles, That this Bill be read a second time on Tuesday next.

Ordered accordingly.

Then read for the third time the engrossed Bill for ascertaining what shall be deemed Public Roads throughout this Province.

The same passed and was signed by Mr. Speaker.

Mr. Clench then moved, seconded by Mr. Nelles, that Messrs. Ferguson, McCrae and Swayzie do carry up this Bill to the Legislative Council, and request their concurrence thereto.

The same was ordered accordingly.

Agreeable to the Order of the Day the House resolved itself into Committee to take up the further consideration of the Public Accounts.

Mr. Speaker left the Chair.

Mr. Sherwood took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sherwood reported a progress, and asked for leave to sit again on Monday next.

Leave was accordingly granted.



Mr. Ferguson, first named to carry up to the Legislative Council the Bill the better to ascertain what shall be deemed the King's Highways throughout this Province, reported that they had carried up the said Bill to the Honorable Legislative Council and did request their concurrence.

On motion of Mr. Macdonell of York, seconded by Mr. Ferguson, the House adjourned until Monday next.

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*Monday, 28th. June, 1802.*

Prayers were read.

On motion of Mr. Macdonell of York, seconded by Mr. Swayzie, the Bill entitled "An Act for applying certain sums of money therein mentioned to make good the like sums of money issued and advanced by His Majesty through His Excellency Peter Hunter Esq., the now Lieutenant Governor, in pursuance of two several addresses of the Commons" was read for the second time.

Then on motion of Mr. Macdonell of York, seconded by Mr. Swayzie, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Thompson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Thompson informed the House that he was directed to report the Bill without any amendment, which report was accepted, and the said Bill was ordered to be engrossed and read a third time to-morrow.

Mr. Rogers moved, seconded by Mr. Macdonell of York, That the Order for the third reading of the Bill to authorize the Governor to license practitioners in the law be discharged, and that the said Bill be recommitted on to-morrow.

Ordered accordingly.

Read for the first time, the Bill to give temporary relief to the District of London.

Then Mr. Rogers moved, seconded by Mr. Nelles, that this Bill be read a second time on to-morrow.

The same was ordered accordingly.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this House that they have passed the Bill entitled "An Act to declare and ascertain the rates which the receiver General shall take and retain to his own use out of the monies passing through his hands, which are subject to the disposition of the Parliament of this Province.

And then withdrew.

Agreeable to the Order of the Day was read by the Clerk the petition in duplicate of the Inhabitants of the Home District, the one signed by twenty-eight, and the other by thirteen, and are as follows.

To the Honorable the Commons of Upper  
Canada in Parliament assembled.

The Humble Petition of the Inhabitants of the East Riding of York,  
Most Humbly Sheweth:—

That your petitioners, observing with much gratification a rapid increase of the population and culture of the country, and deeming a full and fair representa-

tion of the people to be the most efficient incentive to the promoting and perpetuating of those advantages, and to the preserving of a happy constitution, pure and unimpaired, do therefore humbly solicit that the number of Members to serve in Parliament for the Riding of York be augmented, inasmuch as that since the uniting of the Counties of Durham and Simcoe to the County of York for the returning of a Member to Parliament the influx of Freeholders has become so very considerable as that the condition and circumstances of a large body of the people cannot be sufficiently made known to one Representative, however condescending and acceptable; and inasmuch that in a multitude of Councils there is much wisdom, so will a more enlarged representation afford a more general design of wise and statutory measures, and conspire to give such measures energy and effect.

Your petitioners humbly pray that Your Honorable House will take the premises into consideration, and make such provision in regard thereto as to you in your high power and wisdom may seem meet.

And your petitioners shall pray.

Then Mr. Sherwood moved, seconded by Mr. Clench, that the further consideration of those Petitioners be had three months hence.

Ordered accordingly.

According to the Order of the Day, the House resolved itself into Committee on the Provincial Accounts.

Mr. Speaker left the Chair.

Mr. Sherwood took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sherwood reported a progress, and asked for leave to sit again this day.

Leave was accordingly granted.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this House that they have passed the Bill the better to ascertain titles to lands in this Province.

And then withdrew.

Then Mr. Speaker left the Chair.

Mr. Sherwood again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sherwood reported that the Committee had examined the Receiver General's Account Current transmitted to the House by the Inspector General, by which it appeared that there was now in the hands of the said Receiver General the sum of one thousand six hundred and eighty-one Pounds nineteen Shillings and one Penny Farthing, which includes the amount of the duties from Lower Canada between the first January and thirty first December one thousand eight hundred and one. And the Account of Tavern, Shop, and Still Licenses, ending the 4th. of April one thousand eight hundred and two.

Which Report was accepted.

Then the Speaker laid before the House an Account of the sixty Pounds he received last year for the purpose of purchasing furniture for the House of Assembly, together with the receipts for the same expended, which accounts are as follows.

Abstract of monies paid by the Speaker for furniture &c. to the House of Assembly.

To Alexr. Bell as per receipt			
No. 1 for a desk for the Clerk and three rulers	£6.	13.	0.
To Alexr. Bell as per receipt			
No. 2 for making 19 desks	19.	0.	0.
To Dan'l Fiers as per receipt			
No. 3¼ for 24 Windsor painted chairs.	12.	0.	0.
To John McBeth as per receipt			
No. 4 for a large painted case with folding doors, a large table and 19 inkstands	7.	8.	6.
To Jno. McBeth as per receipt			
No. 5 for a box and a case with Pigeon holes, a stool 12 small boxes, and other small articles	4.	12.	9.
	<hr/>		
Dollars at five shillings	49.	14.	3.
In the Speaker's hands	10.	5.	9.
	<hr/>		
	£60.	0.	0.
	<hr/>		

D. W. Smith, Speaker.

Mr. Rogers moved, seconded by Mr. Sheriff Macdonell, that the Order of the Day for the second reading of the Bill for the District of Newcastle on Tuesday be discharged, and that the said Bill be read a second time this day.

Ordered accordingly.

And the said Bill was read for the second time this day.

Then Mr. Rogers moved, seconded by Mr. Thompson, That the House do now resolve itself into a Committee to take the Bill for the District of Newcastle into their consideration.

The House then resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported the Bill with some amendments, which Report was accepted.

And the said Bill as amended was ordered to be engrossed and read a third time to-morrow.

Mr. Clench moved, seconded by Mr. Swayzie, that the Order of the Day for the second reading of the Bill for giving temporary relief to the Inhabitants of the District of London on to-morrow be discharged, and that the said Bill be now read a second time.

Ordered accordingly, and the said Bill was read for the second time.

Then Mr. Clench, seconded by Mr. Swayzie, moved that the House do now resolve itself into a Committee to take the Bill for giving temporary relief to the Inhabitants of the District of London into their consideration.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Washburn was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn then informed the House that the Committee had gone through the consideration of the said Bill, which he was ordered to report without any amendment whenever the House would be pleased to receive the same.



Which Report was accepted.

Then Mr. Clench moved, seconded by Mr. Swayzie, that the said Bill be engrossed and read a third time to-morrow.

Ordered accordingly.

Mr. Thompson moved, seconded by Mr. Ferguson, that the engrossed Bill to ascertain the Boundary Lines throughout this Province be now read a third time.

The said Bill was accordingly read for the third time, passed, and signed by Mr. Speaker.

Then Mr. Clench moved, seconded by Mr. Nelles, That Messrs. Thompson and Swayzie carry up this Bill to the Legislative Council, and request their concurrence thereto.

Ordered accordingly.

Then, on motion of Mr. Rogers, seconded by Capt. Elliott, the House adjourned.

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*Tuesday, 29th. June, 1802.*

Prayers were read.

Mr. Clench moved, seconded by Mr. Nellis, that leave of absence be granted to John Ferguson, Esq. one of the Members of this House, for twelve days.

Leave of absence was accordingly granted.

Mr. Thompson, first named to carry up to the Legislative Council the Bill to ascertain the Boundary Lines throughout this Province, reported that they did carry up the said Bill, and did request their concurrence thereto.

The engrossed Bill entitled "An Act for applying certain sums of money advanced by His Majesty through His Excellency the Lieutenant Governor, in pursuance of two addresses from this House" was read for the third time, which passed, and was signed by Mr. Speaker.

Agreeable to the Order of the Day was read for the third time, the engrossed Bill giving relief to the Inhabitants of the District of London. The same was passed and signed by Mr. Speaker.

Then was read the engrossed Bill to provide for the administration of justice in the District of Newcastle, for the third time.

Debates thereupon took place, after which,

Mr. Rogers moved, seconded by Mr. Sherwood, That the words which direct "that the Gaol and Court House shall be built at Newcastle" be expunged.

The same passed in the negative.

Then Mr. Rogers moved, seconded by Mr. Macdonell of York, That the title of this Bill be "An Act to provide for the administration of justice in the District of Newcastle."

Ordered accordingly.

The said Bill then passed and was signed by Mr. Speaker.

Mr. Clench then moved, seconded by Mr. Swayzie, that Messrs. Sheriff Macdonell and Nelles do carry up to the Honorable Legislative Council the Bill entitled "An Act for applying certain sums of money advanced by His Majesty through His Excellency the Lieutenant Governor, in pursuance of two addresses from this House, as also the Bill for giving relief to the Inhabitants of the District of London, and another Bill to provide for the administration of justice in the District of Newcastle, and to request their concurrence to the respective Bills.

Ordered accordingly.

Mr. Sheriff Macdonell, first named to carry up to the Hon. Legislative Council the said Bill did report that they had carried up the same, and did request their concurrence thereunto.

Agreeable to the Order of the Day, the House resolved itself into Committee to take up the further consideration of the Bill empowering the Governor, Lieutenant Governor, or person administering the Government, to license Advocates and Attorneys.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie informed the House that the Committee had gone through the consideration of the said Bill without any amendment, which he was ordered to report.

Then Mr. Clench moved, seconded by Mr. Sherwood, that the Report be not accepted.

A division thereupon took place, and the names were ordered to be taken down, and were as follows.

#### YEAS.

MESSRS. SHERIFF MACDONELL  
MACDONELL (York)  
SHERWOOD  
ROGERS  
CLENCH

#### NAYS.

MESSRS. SWAYZIE  
NELLES  
THOMPSON  
FERGUSON  
McCRAE  
WASHBURN  
SOL'R GENERAL  
MACDONELL (Glengarry)  
ELLIOTT

Carried in the negative by a majority of four.

The Report was then accepted.

Mr. Macdonell of York moved, seconded by Mr. Sherwood, that the following be an Additional clause, "And be it further enacted by the authority aforesaid that if any barrister or attorney now in practice, or hereafter to be appointed, by virtue of this Act, or otherwise, shall be guilty of any malversation or corrupt practice, and shall be convicted thereof by the verdict of a jury, it shall and may be lawful for the Judges of the Court of King's Bench or the majority of them, to order his or their names to be struck off the Roll, and not otherwise.

The House being divided Mr. Speaker gave his vote for the clause being added.

And it was ordered accordingly.

Then Mr. Rogers moved, seconded by Mr. Swayzie, that this Bill be engrossed and read a third time to-morrow.

Ordered accordingly.

On the motion of Mr. Sherwood, seconded by Mr. Swayzie, the House adjourned.

*Wednesday, 30th. June, 1802.*

Prayers were read.

Mr. Ferguson moved, seconded by Capt. Elliott, that the Bill entitled "An Act to authorize the Governor, Lieut. Governor, or the person administering the govern-

ment, to license Advocates and Attorneys for the conduct of legal proceedings in this Province" be now read a third time.

Then Mr. Macdonell of York, seconded by Mr. Clench, moved an amendment that the said Bill be recommitted this day.

The same passed in the negative.

Then the main question was put.

A division thereupon took place, and the names were ordered to be taken down, and are as follows.

## YEAS.

## NAYS.

MESSRS. MACDONELL (Glengarry)  
SHERWOOD  
SOLICITOR GENERAL  
FERGUSON  
ROGERS  
McCRAE  
NELLES

MESSRS. SHERWOOD  
MACDONELL (York)  
CLENCH  
SWAYZIE

Carried in the affirmative by a majority of three.

And the said Bill was read for the third time.

Then Mr. Ferguson moved, seconded by Mr. Rogers, that the clause No. 6 being the last in this Bill be expunged.

Debates ensued upon the point of privilege urged against putting the question upon the said motion because a day's previous notice had not been given thereof, pursuant to one of the rules of this House.

Mr. Swayzie then moved, seconded by Mr. Sheriff Macdonell, That the House do now adjourn.

Which passed in the negative.

Further debate then ensued.

Mr. Speaker having been called upon to decide, delivered his opinion in the following words:

I am of opinion that the notice which was given yesterday for the third reading of this Bill to-day is a sufficient previous information according to the rules of the House to permit the discussion of any question contained in the Bill.

Mr. Sherwood then appealed to the House for their opinion in the decision of the Speaker.

The question being put the House approved and confirmed Mr. Speaker's decision.

Then on motion of Mr. Macdonell of York, seconded by Mr. Ferguson, the House resolved itself into Committee on the Bill entitled "An Act to authorize the Governor, Lieutenant Governor, or person administering the Government to license Advocates and Attorneys for the conduct of legal proceedings in this Province.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported a progress, and asked for leave to sit again.

Which Report was accepted and ordered accordingly.

Mr. Solicitor General then gave notice that he will to-morrow move that the sense of this House be taken upon the construction that is to be put upon the fifth rule of the House.



Then Mr. Ferguson gave notice that he will on to-morrow move, That the House do resolve itself into a Committee of the whole House to take the Bill entitled "An Act to authorize the Governor, Lieut. Governor, or person administering the Government of this Province to license Advocates and Attorneys for the conduct of legal proceedings.

Mr. Sheriff Macdonell gave notice, That he will on to-morrow move to add a further clause to the said Bill.

On motion of Mr. Sherwood, seconded by Mr. Macdonell of York, the House adjourned.

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*Thursday 1st. July, 1802.*

Prayers were read.

Then Mr. Macdonell of York did give notice that he will move to-morrow that Mr. Speaker do issue his Warrant directed to the proper Officer, for the return of a Member to represent in the present Parliament the Counties of Lennox and Addington, the representation thereof having been vacated, as the Member returned for the same having accepted an appointment as Collector of the Provincial Revenue of the Crown.

Mr. Ferguson then gave notice that he will on Saturday bring in a Bill to prevent any person holding Commissions of any nature whatever under the Government from holding a seat in the Assembly, and prevent such persons being elected in future.

Mr. Clench moved, seconded by Mr. Sherwood, for leave to bring in to-morrow a Bill to extend the benefit of an Act passed in the thirty seventh year of His Majesty's Reign entitled "An Act for the better regulating the practice of the Law to Attorneys and solicitors of His Majesty's Courts.

At Westminster, and to persons who shall have kept their terms in any of the Inns of the Courts of Westminster aforesaid.

Leave was accordingly granted.

Agreeable to the notice of yesterday, Mr. Solicitor General moved, seconded by Mr. Rogers, that it be resolved that it is the sense of this House that the fifth Rule of the House does not extend to any amendment proposed to any Bill before the House, but only to the moving of some new questions which have not already been before the House.

The House accordingly resolved the same.

Mr. Ferguson, seconded by Mr. Rogers, moved that the House do now resolve itself into a Committee of the whole House, to take into their further consideration the Bill to authorize the Governor, Lieut. Governor, or person administering the Government to license practitioners in the Law.

The House accordingly resolved itself into a Committee of the whole House on the said Bill.

Mr. Speaker left the Chair.

Mr. Swayzie took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported a progress, and asked for leave to sit again this Day.

Leave was accordingly granted.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Legislative Council to inform this Honorable House that they did pass an Act to provide for the administration of justice in the District of Newcastle without any amendment.

And then withdrew.

Agreeable to leave granted, the House again resolved itself into Committee on the Bill for licensing Advocates and Attorneys in this Province.

Mr. Speaker left the Chair.

Mr. Swayzie again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported that the Committee had gone through the consideration of the said Bill to which they had made some amendments, which he was directed to submit to the House whenever the House was pleased to receive the same.

The House resolved that the said Report be now accepted.

Then Mr. Ferguson moved, seconded by Mr. Rogers, that the said Bill be engrossed, and read for the third time to-morrow.

Ordered accordingly.

On motion of Mr. Macdonell of Glengarry, seconded by Mr. Washburn, the House adjourned.

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*Friday, 2nd. July, 1802.*

Prayers were read.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this House that they have concurred in passing the Bill entitled "An Act for applying a certain sum of money therein mentioned to make good certain moneys issued and advanced by His Majesty through the Lieutenant Governor, in pursuance of two several addresses of the Commons House of Assembly."

And then withdrew.

The engrossed Bill authorizing the Governor, Lieutenant Governor, or person administering the Government, to license Advocates and Attorneys in this Province was read for the third time.

Then Mr. Sherwood, seconded by Mr. Clench, moved that the following be added and do make a clause to the said Bill, "And be it enacted by the authority aforesaid that each and every Attorney shall be called to the Bar if he requires it at the expiration of three years after the date of his commission, provided, nevertheless, that nothing in this Act contained shall extend, or be construed to extend, to permit the Governor, Lieutenant Governor, or person administering the Government of this Province, to license any person who shall not have attained the age of twenty one years.

Ordered accordingly.

Mr. Sherwood further moved, seconded by Mr. Clench, that the following do make an additional clause to the said Bill "And be it further enacted by the authority aforesaid that nothing in this Act shall extend, or be construed to extend, to compel the Law Society to receive any persons so to be licensed unless the majority of the said Law Society shall be satisfied with him."

Then Mr. Macdonell of York, seconded by Mr. Sherwood, moved an amendment that after the word "licensed" be inserted "as a Barrister."

The same passed in the negative.

Then the main question was put, and the same was carried in the negative.

The Bill passed as amended, and was signed by Mr. Speaker.

Then Mr. Rogers moved, seconded by Mr. Sheriff Macdonell, that Messrs. Solicitor General and Macdonell of York do carry up this Bill to the Legislative Council and request their concurrence thereto.

Mr. Sherwood, seconded by Captain Elliott, moved that Mr. Rogers be added to the Messengers named to carry up the said Bill.

Which passed in the negative.

Then the question was put on the original motion and carried in the affirmative.

Mr. Solicitor General, first named to carry up the said Bill, reported that they had brought up the Bill and requested the concurrence of the Honorable Legislative Council in passing the same.

Then Mr. Solicitor General moved, seconded by Mr. Sheriff Macdonell, for leave to bring in a Bill to-morrow to provide for the payment of salaries to the Sheriffs in certain Districts in this Province.

Mr. Macdonell of York, seconded by Mr. Clench, moved an amendment that the word "to-morrow" be expunged, and the words "in three months" inserted in lieu thereof.

Carried in the affirmative, and ordered accordingly.

The Bill to amend an Act for the better regulating the practice of the Law was read for the first time.

On motion of Mr. Clench, seconded by Mr. Swayzie,

Ordered, That the said Bill be read a second time to-morrow.

Mr. Macdonell of York, seconded by Mr. Clench, moved that Mr. Speaker do issue his Warrant, directed to the proper Officer, for the return of a Member to represent in the present Parliament the counties of Lennox and Addington, the representation whereof has been vacated by the member returned for the same having accepted an appointment in the Collection of the Provincial Revenue of the Crown.

Which passed in the negative.

On motion of Mr. Rogers, seconded by Mr. Nelles, the House adjourned.

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*Saturday, 3rd. July, 1802.*

Prayers were read.

Read for the second time, a Bill to extend the benefit of an Act passed in the thirty seventh year of His Majesty's reign, entitled "An Act for the better regulating the practice of the Law in this Province."

On motion of Mr. Clench, seconded by Mr. Swayzie, the House resolved itself into Committee to take into their consideration the said Bill.

Mr. Speaker left the Chair.

Mr. Sherwood was called to the chair of the Committee

Mr. Speaker resumed the Chair.

Mr. Sherwood informed the House that he was desired to report that the further consideration of the said Bill be postponed for three months.

Then Mr. Clench moved, seconded by Mr. Macdonell of York, that this Report be not accepted.

Mr. Clench then moved, seconded by Mr. Macdonell of York, that the Yeas and Nays be taken.



The names were accordingly taken down, and are as follows.

## YEAS.

MESSRS. SWAYZIE  
 CLENCH  
 MACDONELL (York)  
 ELLIOTT  
 SHERIFF MACDONELL

## NAYS.

MESSRS. MACDONELL (Glen.)  
 WASHBURN  
 SOLICITOR GENERAL  
 ROGERS  
 McCRAE  
 NELLES

The same was passed in the negative by a majority of one.

The Report was then accepted and ordered accordingly.

Mr. Macdonell of York, seconded by Mr. Nelles, moved that the House do now resolve itself into a Committee to consider of an Address to His Excellency the Lieutenant Governor, praying that he cause certain repairs immediately necessary to be made upon the principal Public Highway which passes through this Province, the expenses of which the House will make good.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported a progress, and asked for leave to sit again this day.

Leave was accordingly given.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this House that they have passed the Bill for more uniform laying assessments throughout this Province, to which they had made some amendments, to which amendments they request the concurrence of this House.

And then withdrew.

Mr. Rogers, seconded by Mr. Clench, moved that the amendment made to this Bill be read this day three months.

Then Mr. Macdonell of York, seconded by Mr. Swayzie, moved in amendment that in lieu of the words "read this day three months" be inserted "be not taken into the consideration of this House."

The same passed in the negative.

Then the main question was put: a division thereupon took place, and the names being called for, they were taken down and are as followeth.

## YEAS.

MESSRS. MACDONELL (Glen.)  
 SWAYZIE  
 CLENCH  
 MACDONELL (York)  
 McCRAE  
 ROGERS  
 SOLICITOR GENERAL  
 THOMPSON

## NAYS.

MESSRS. ELLIOTT  
 SHERWOOD  
 WASHBURN  
 NELLES  
 SHERIFF MACDONELL

The same was carried in the affirmative by a majority of three, and ordered accordingly.

Mr. Macdonell of York moved, seconded by Mr. Nelles, for leave to bring in a Bill on Monday for making more effectual provision for the Public Uses of the several Districts in this Province and for repealing certain Statutes therein mentioned.

Leave was given accordingly.

Agreeable to leave given the House again resolved itself into Committee to take up the further consideration of the Roads throughout this Province.

Mr. Speaker left the Chair.

Mr. Swayzie again retook the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported a progress, and asked for leave to sit again.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this House that they have passed the Bill empowering His Excellency the Lieutenant Governor, or person administering the Government, to license Barristers and Attorneys in this Province, with some amendments, to which amendments they request the concurrence of this Honorable House.

And then withdrew.

Mr. Macdonell of York, seconded by Mr. Sherwood, moved that the House do not go into the consideration of the said amendments as tending to an invasion of the privileges of the Commons.

The same passed in the negative.

Then by order of the House, the amendments were read by the Clerk.

Mr. Rogers then moved, seconded by Captain Elliott, that this House do now resolve itself into a Committee to take these amendments into their consideration.

Then Mr. Macdonell of York, seconded by Mr. Clench, moved an amendment that the word "now" be expunged, and "on Monday" inserted.

Which passed in the negative.

The main question was put, a division ensued, and the names being called for were ordered to be taken down, and are as follows.

#### YEAS.

MESSRS. McCRAE  
ELLIOTT  
SHERIFF MACDONELL  
MACDONELL (Glengarry)  
THOMPSON  
WASHBURN  
SOLICITOR GENERAL  
ROGERS  
NELLES  
SWAYZIE

#### NAYS.

MESSRS. SHERWOOD  
MACDONELL (York)  
CLENCH

The same was carried in the affirmative by a majority of seven.

The House then resolved itself into a Committee to take into their consideration the amendments made by the Legislative Council.

Mr. Speaker left the Chair.

Mr. Thompson was called to the chair of the Committee and did there inform the Speaker that the Committee was not competent to go into the consideration of the amendments made to the said Bill by the Legislative Council for want of a quorum.

Mr. Speaker then resumed the Chair.

And did order the names of the Members present to be taken down, and are as follows.

Messrs. Washburn, Nelles, Elliott, Sheriff Macdonell, Macdonell (Glengarry), McCrae, Rogers, Solicitor General, Thompson.

Mr. Speaker then adjourned the House for want of a quorum.

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*Monday, 5th. July, 1802.*

Prayers were read.

Mr. Thompson reported in the following words.

Mr. Speaker,

The Committee of the whole House to whom was referred the consideration of the amendments made by the Honorable Legislative Council to a Bill to authorize the Governor, Lieutenant Governor, or person administering the Government to license practitioners in the law, could not proceed agreeable to the order of the House for want of a quorum, as a number of the Committee left the House immediately after he took the Chair.

(Signed) Timothy Thompson,

Chairman.

Mr. Clench gave notice that he will on to-morrow move that Mr. Bennet, Printer, be directed to lay before the House an account of the printing, setting forth the different items done for this House since the last Session.

Mr. Macdonell of York gave notice that he will move tomorrow that the House do take order for making good to the late Adjutant General of the Militia certain arrears of pay due to him, and heretofore admitted and allowed by the Commons House of Assembly to be a Public Debt answerable by the Provincial Funds.

The House then resolved itself into Committee to take up the further consideration of the state of the Roads throughout this Province.

Mr. Speaker left the Chair.

Mr. Swayzie took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported a progress, and requested leave to sit again.

Leave was accordingly granted.

Mr. Ferguson then moved, seconded by Mr. Rogers, that the Report be not accepted.

Which passed in the negative.

And leave was accordingly granted to sit again.

Then Mr. Speaker informed the House that the Clerk had made application to him as follows.



Mr. Speaker,

The Clerk begs leave to inform this Honorable House that the wages now due the Copying Clerks exceed the sum appropriated by law for that purpose. He therefore prays that he may receive the permission and sanction of this House further to employ copying clerks to assist him in doing his duty.

Donald McLean,

Clk of Assembly.

Commons House of Assembly

5th. July.

Then Mr. Macdonell of York moved, seconded by Mr. Ferguson, That it be resolved by this House that it is competent for the Speaker to authorize the Clerk to employ such necessary assistance as he may require on account of the House.

The House resolved the same, and ordered accordingly.

Mr. Rogers moved, seconded by Mr. Solicitor General, that this House do concur in the amendments made by the Honorable Legislative Council to the Bill entitled "An Act to authorize the Governor, Lieutenant Governor or person administering the Government to license Advocates and Attorneys for the conduct of legal proceedings in this Province.

Thereupon debates and points of order and privilege ensued.

Then Mr. Macdonell of York moved, seconded by Mr. Swayzie, that this House do now adjourn.

The same passed in the negative.

Then the Bill for the more regularly laying of assessments throughout this Province was read for the first time.

Mr. Macdonell of York then moved, seconded by Mr. Swayzie, that the said Bill be read a second time on Monday the nineteenth instant and in the meantime Mr. Speaker do direct the same to be put to press, so that ten copies thereof be distributed without delay to each Member, the expenses of printing which to be answered by the Clerk, and allowed to come in as an item in its contingent account.

Ordered accordingly.

On motion of Mr. Rogers, seconded by Mr. Ferguson, that this Honorable House do now resolve itself into a Committee to take into their consideration the amendments made to the Bill to authorize the Governor, Lieutenant Governor or person administering the Government to license Advocates and Attorneys in this Province.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Thompson took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson informed the House that the Committee did direct him to report the Bill as amended by the Honorable Legislative Council, whenever the House would be pleased to receive the same.

Mr. Sherwood then moved, seconded by Mr. Clench, that the Report be not received upon the following grounds.

1. That the Bill now before the House is according to the known usages and customs of Parliament a money Bill, and cannot be amended by the Upper House without an infringement of the privileges of the Commons.

2. That the Bill has been once thrown out during this Session, and cannot be again brought in during this Session consistent with the Rules of the House.

3. That a Bill sent a second time in the same Session from the Upper House to this House is indecorous.

A division thereupon took place, and the names were ordered to be taken down, and are as follows.

## YEAS.

MESSRS. SHERWOOD  
MACDONELL (York)  
CLENCH  
SWAYZIE

## NAYS.

MESSRS. ELLIOTT  
SHERIFF MACDONELL  
THOMPSON  
FERGUSON  
MACDONELL (Glen.)  
SOLICITOR GEN.  
WASHBURN  
ROGERS  
McCRAE  
BEASLEY  
NELLES

The same was carried in the negative by a majority of seven.

The Report was then accepted and ordered accordingly.

Mr. Rogers then moved seconded by Mr. Ferguson that the said Bill be engrossed as amended and read a third time to-morrow.

Ordered accordingly.

Then on motion of Mr. McCrae, seconded by Mr. Swayzie, the House adjourned.

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*Tuesday, 6th. July, 1802.*

Prayers were read.

Mr. Ferguson moved, seconded by Mr. McCrae, That it be considered on to-morrow that the resolution accompanying any motion shall be taken to be a part thereof.

Mr. Clench moved, seconded by Mr. Swayzie, That so much of the rule of this House be dispensed with as says when a Member intends to move any question he shall give one day's previous notice.

The same passed in the negative.

Then was read for the third time the engrossed Bill to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province, to license practitioners in the Law.

Mr. Clench gave notice that he will on to-morrow move an Address to His Excellency the Lieutenant Governor, that out of the unappropriated monies now in the funds a sum of money not exceeding one hundred pounds be applied for the purpose of purchasing books which are necessary for this House, to be in the possession of and to be laid out at the discretion of the Speaker.

Mr. Macdonell of York moved, seconded by Mr. Swayzie, that the amended Bill as now read do not pass, the same being a confused jumble of amendments made in the respective Houses, and coming in an unparliamentary form, and being in form and substance monstrous and incongruous.

The House divided, and the names were ordered to be taken down, and are as follows.

## YEAS.

MESSRS. SHERIFF MACDONELL  
MACDONELL (York)  
CLENCH  
SWAYZIE

## NAYS.

MESSRS. ELLIOTT  
THOMPSON  
MACDONELL (Glen.)  
WASHBURN  
SOLICITOR GEN.  
ROGERS  
McCRAE  
BEASLEY  
NELLES

Carried in the negative by a majority of five.

The Bill then passed, and was signed by Mr. Speaker.

Mr. Rogers then moved, seconded by Mr. Nelles, that Mr. Ferguson and Mr. McCrae be a Committee to inform the Honorable Legislative Council that this House has concurred in the amendments made to the Bill to authorize the Governor, Lieutenant Governor, or person administering the Government, to license practitioners in the Law, and to repeal part of an Act passed in the thirty seventh year of His Majesty's Reign entitled "An Act for the better regulating the Practice of the Law."

Ordered accordingly.

Mr. Ferguson, first named, did inform the House that they had carried up the Bill authorizing the Governor, Lieutenant Governor, or person administering the Government, to license practitioners in the Law to the Honorable Legislative Council, and did inform them that this House concurred to the amendments made by them.

Mr. Macdonell of York informed the House that he will move to-morrow that certain of His Majesty's instructions to the Governor, Lieutenant Governor, or person administering the Government for the time being, respecting the giving, reserving, or withholding of the Royal assent to or from Bills, and heretofore communicated to the Provincial Parliament, be again read to-morrow, to the end that the same may be inserted upon the minutes, and entered into and upon the Journals of this day.

Mr. Ferguson, seconded by Mr. McCrae, moved that this House do now adjourn.

Then Mr. Macdonell of York moved an amendment, seconded by Mr. Swayzie, that this House do meet again at four o'clock this afternoon.

The same passed in the negative.

Then the main question was put and carried in the negative.

Mr. Macdonell of York moved, seconded by Mr. Sheriff Macdonell, that the House do now take Order for making good to the late Adjutant General of the Militia the arrears of pay due him.

Mr. Sheriff Macdonell, seconded by Mr. Macdonell of York, moved an amendment,—that the House do now resolve itself into Committee to take the same subject into consideration.

The same passed in the negative.

Then the original motion was put and carried in the negative.

The House then resolved itself into Committee to go into the further consideration of the Roads throughout this Province.



Mr. Speaker left the Chair.

Mr. Swayzie took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported that it is the opinion of the Committee that the sum of three hundred and fifty pounds be laid out under the direction of His Excellency the Lieutenant Governor for mending, repairing and bridging such parts of the Public Central road through this Province as cannot be amended by Statute Labour, the same passing through tracts of land occupied by Indians or Natives.

Which Report was accepted and ordered accordingly.

Then Mr. Solicitor General moved, seconded by Mr. Swayzie, that Mr. Macdonell of York and Mr. Macdonell of Glengarry be a Committee to draft an Address to His Excellency the Lieutenant Governor, requesting him to carry into effect the resolution of this House respecting the roads, and to report the same to-morrow.

On motion of Mr. Macdonell of York, seconded by Mr. Nelles, the House adjourned until eight o'clock in the forenoon to-morrow.

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*Wednesday, 7th. July, 1802.*

Prayers were read.

Mr. Macdonell of York, one of the Committee named to draft an Address to His Excellency the Lieutenant Governor, reported that they had prepared an Address, which was then read, and approved, and is as follows.

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. &c.

We, His Majesty's most dutiful and loyal subjects the Commons of Upper Canada in Parliament assembled, having taken into mature consideration the condition of such part of the principal highway leading throughout and connecting together the several Districts of this Province as are laid over lands in the occupation of Indians or aboriginal natives who are not in the habit of performing Statute Labour on the roads, and being fully impressed with the necessity of putting the same into a state of passable repair do most respectfully pray that it may please Your Excellency to order that three hundred and fifty Pounds be advanced and laid out under the directions and at the disposition of Your Excellency in the repairing and amending such part of the said Highway, and in the erecting of bridges across the river intersecting the same as may most immediately benefit the Public at large. Which money the Commons will make good during the next Session of Parliament.

Commons House of Assembly,  
7th. July, 1802.

Then Mr. Macdonell of York moved, seconded by Mr. Swayzie, that Mr. Clench, Mr. Nelles, and Mr. Beasley be a Committee to wait upon His Excellency the Lieutenant Governor to know at what time it will be his pleasure to receive the said Address, and be also a Committee to present the same to him at such time as may be appointed.

Ordered accordingly.

Mr. Clench moved, seconded by Mr. Macdonell of York, agreeable to notice given yesterday, that this House do address His Excellency the Lieutenant Governor to advance out of the unappropriated moneys in the fund a sum not exceeding one hundred Pounds, for the purpose of purchasing Books which are necessary for this House, to be in the possession of, and to be laid out at the discretion of Mr. Speaker.

The same was ordered accordingly.

Mr. Ferguson moved, seconded by Mr. Nelles, that this House do now take into their consideration whether any resolution accompanying a motion shall be a part of such motion or not.

Mr. Solicitor General then moved, seconded by Captain Elliott, an amendment that all the motion be expunged after the word "that," and that the following be inserted "that this House do now resolve that so much of Mr. Sherwood's motion as contains reasons or resolutions for making the same be expunged from the Journals for the following reasons.

1. Because he thinks that the motion should stand by itself, and not be accompanied with any reasons except such as Mr. Sherwood might be pleased to explain in his place to this House.

2. Because this House previously to the making of such motion had not concurred in opinion that the statement in Mr. Sherwood's motion were admitted by it.

3. Because it is the opinion of this House that much unnecessary trouble will follow such a practice, as it will take up much time of the Clerk as well as much stationery to be obliged to insert on the Journals every gentleman's reasons for making a motion.

4. Because it is not proper that such a motion should be accompanied with such reasons, supposing them to be good ones, when so necessary and useful a Bill as the one in question is in agitation.

5. Because much time will be taken up and this Session will not be long enough to discuss the propriety of such resolutions being added to motions, and think it will therefore be best that this House do now expunge the resolutions and leave the discussion of the same to the next Parliament."

Passed in the negative.

Then the main question was put, and carried in the negative.

Then by order was read an Address to His Excellency the Lieutenant Governor, to which the House concurred, and ordered that Messrs. Clench, Nelles and Beasley do wait upon His Excellency the Lieutenant Governor to know when he will be pleased to receive the same, and is as followeth.

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. &c.

May it please Your Excellency,

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, being desirous of providing certain Books for the use of Parliament do most respectfully pray that it may please Your Excellency to issue your Warrant in favor of Mr. Speaker for the sum of one hundred Pounds to be employed in the purchase of such Books, conformably to a resolution of this House in that behalf; which sum of money the Commons will make good during next Session of Parliament.

Commons House of Assembly,  
York, 7th. July, 1802.

On motion of Mr. Nelles, seconded by Mr. Swayzie, the House adjourned for one hour.

The House being met, Mr. Sheriff Macdonell, seconded by Mr. Clench, resolved that ten Pounds five Shillings and nine pence currency be paid to William Allan, Esquire, for contingent expenses, and that the Speaker be authorized to pay the same out of the moneys now in his hands.

Ordered unanimously.

Mr. Clench, one of the messengers named to wait upon His Excellency the Lieutenant Governor to know when he would be pleased to receive the two Addresses of this day, informed the House that they had not an opportunity of seeing His Excellency, as he was away from home.

Mr. Speaker read a paper presented to him by the Clerk of the House, and is as follows.

The Clerk has the honor of stating to Mr. Speaker that a supply of stationery and other necessities will be wanting for the use of the next Session of Parliament, and respectfully submitting the expediency of making provision for the same.

Donald MacLean,  
Clerk of Assembly.

Commons House of Assembly  
7th. July 1802.

Then Mr. Macdonell of Glengarry, seconded by Mr. Swayzie, moved that the contingent accounts of the Clerk of this House be now laid before the House, and that the same be taken into consideration.

Ordered accordingly.

Then the said accounts were laid before the House.

The Honorable House of Assembly in Account current with Donald McLean, Clerk, for disbursements made by him for Copying Clerk, Stationery, &c.

Debt'r.

1801					
July	15	To Cash paid D. Philips per receipt	£1.	10.	0
		To do. S. D. Cousins per do.	2.	0.	0
1802					
April	26	To do. paid Mr. Neilson account for stationery purchased agreeable to the order of the House of the 8th. July, 1801, as per receipt,	22.	10.	1
May	5	To cartage of do. from Montreal to Lachine	0.	3.	9
		To cash paid Mrs. Duncan Cameron for stationery and as per receipt	1.	9.	8
July	1	To do. paid C. H. S. Willcocks, Copying Clerk, as per his account current and receipt,	34.	5.	0
"	7	To balance brought down	12.	3.	6



Cr.

1801

July	3	By cash received in pursuance of an Address to His Excellency the Lieutenant Governor of this date for Copying Clerks,	£25.	0.	0.
"	6	By cash received in pursuance of an Address to His Excellency the Lieutenant Governor of this date for the purchase of stationery for the Session of 1802,	£25.	0.	0

1802.

July	7	By balance due to D. McLean,	12.	8.	6
		Dollars at five shillings	£62.	8.	6

Errors excepted—York, 7th. July, 1802.

D. McLean, Cl<sup>k</sup>.

It was then resolved that the said account be examined by Mr. Speaker, and he order payment of the whole or any part that he thinks a legal claim.

Then Mr. Macdonell of York moved, seconded by Mr. Clench, That it be resolved as the present Session of Parliament is far advanced, and the prorogation thereof to be speedily expected, that Mr. Speaker be authorized to certify under his hand to the Lieutenant Governor the expediency of advancing a certain sum of money, not exceeding seventy five pounds, to enable the Clerks to satisfy sundry small contingent expenses attending the present Session of Parliament, and also to enable them to provide a suitable and sufficient supply of stationery for the future use of the two Houses of Parliament.

And that this House will make good during its next Session such money as may under such certificate be so advanced, for the due application of which the Clerks shall be accountable to the House next Session.

Ordered accordingly.

Then Mr. Speaker read a paper handed to him by the Clerk, and is as follows.

The Clerk has the honor of representing to Mr. Speaker that the place where the Records and documents of the Honorable the Commons House of Assembly are now lodged is not sufficiently secure, the same having been broken open during the recess of Parliament. He therefore thinks it his duty to pray that order be taken for the safe custody of the said Records and Documents, and in such manner that he may have access to the same at all times he thinks necessary.

Donald MacLean,

Commons House of Assembly  
7th. July, 1802.

Cl<sup>k</sup>. Assembly.

Mr. Macdonell of York, seconded by Mr. Clench, moved that it be resolved as from unavoidable circumstances the Committee appointed to present the two Addresses of this day to His Excellency the Lieutenant Governor have not been able to present the same, that the House do stand pledged to make good the moneys

voted in the said Addresses should the same be applied to the purposes and uses intended by the Commons upon the intimation of Mr. Speaker.

A division ensued, the names were ordered to be taken down, and are as follows.

## YEAS.

MESSRS. CLENCH  
ELLIOTT  
MACDONELL (Glen.)  
NELLES  
MACDONELL (York)  
SWAYZIE  
SHERIFF MACDONELL

## NAYS.

MESSRS. SOLICITOR GENERAL  
SHERWOOD  
FERGUSON  
ROGERS  
WASHBURN

The same was carried in the affirmative by a majority of three, and ordered accordingly.

A Message from His Excellency the Lieutenant Governor by Mr. George Law, Gentleman Usher of the Black Rod.

Mr. Speaker,

I am commanded by His Excellency the Lieutenant Governor to acquaint this Honorable House that it is His Excellency's pleasure that the Members thereof do forthwith attend upon His Excellency in the Legislative Council Chamber.

Accordingly Mr. Speaker with the House went up to attend His Excellency the Lieutenant Governor, when His Excellency was pleased to give in His Majesty's name the Royal assent to the following Public and Private Bills.

An Act for the better securing titles to the land in this Province.

An Act to declare and ascertain the rates which the Receiver General shall take and retain to his own use out of the moneys passing through his hands, which are subject to the disposition of the Parliament of this Province.

An Act to provide for the administration of justice within the District of Newcastle.

An Act to enable the Governor, Lieut. Governor, or person administering the Government of this Province to appoint one or more Port or Ports, place or places of entry within this Province, and to appoint one or more Collector or Collectors at the same respectively.

Mr. Speaker then said.

May it please Your Excellency to approve of the Bill which the House of Assembly, with the concurrence of the Legislative Council, have passed for aid to His Majesty.

An Act for applying a certain sum of money therein mentioned to make good certain moneys issued and advanced by His Majesty through the Lieutenant Governor in pursuance of two several addresses of the Commons House of Assembly.

To which His Excellency was pleased to give the Royal assent in His Majesty's name.

And then His Excellency was pleased to make the following Speech to both Houses.

Honorable Gentlemen of the Legislative Council  
and

Gentlemen of the House of Assembly

I now close this Session of Parliament, as it is my wish that your duty to the Public should as little as possible interrupt your private concerns.

The Bill which you have passed for the better ascertaining and securing the titles to lands in this Province will, I hope, contribute to place real property therein on a sure and permanent foundation, and under the bounty of the Crown, from which that property was originally derived, highly conducive to the good of the subject.

I trust that the other Bills which you have passed will each of them respectively promote the object of all legislation, the general good.

The erecting of a new District gives me particular satisfaction, being an indication of the increasing population of this Province, one of the happy effects of that plenty and security which by the blessing of Providence we at present possess.

I think it proper to inform you that it is my intention to meet you next year during the winter when you will have an opportunity of resuming your labors at a time more convenient to yourselves, and equally advantageous to the public.

In the meantime you will be enabled at your respective places of abode, by your example and influence, to add force and effect to the laws already enacted, and by careful observation to discover what yet remains to be done for the well-being and prosperity of this Province.

After which the Honorable Speaker of the Legislative Council said:

Gentlemen of the Legislative Council and Gentlemen of the House of Assembly,—

It is His Excellency the Lieutenant Governor's will and pleasure that the Provincial Parliament be prorogued until Saturday the fourteenth day of August next, to be then here held, and this Provincial Parliament is accordingly prorogued until Saturday the fourteenth day of August.

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I do hereby certify that the above and what is written on the foregoing sheets is a true copy of the Journal of the House of Assembly of Upper Canada, being the second Session of the third Provincial Parliament assembled at York on the 25th. day of May last agreeable to the proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of Upper Canada, and Lieutenant General commanding His Majesty's Forces in Upper and Lower Canada, and prorogued by His Excellency on the 7th. instant.

Donald MacLean,  
Cl'k. Assembly.

York, Upper Canada,  
15th. July 1802.

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[Journals of the House of Assembly of Upper Canada in 1802. Certified to be a true Copy.]

George Mayer,  
Librarian & Keeper of Records.

Colonial Office, 18th. July 1855.]



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Journal  
OF THE  
HOUSE OF ASSEMBLY  
OF  
Upper Canada  
1803

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Journal  
OF THE  
HOUSE OF ASSEMBLY  
OF  
Upper Canada,  
1803.

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PETER HUNTER, Lieutenant Governor.

PROCLAMATION.

George the Third, by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith—

To all our loving subjects, GREETING—

Whereas by our prorogation on the seventh day of July last we thought fit, by and with the advice of our Executive Council, to prorogue our Provincial Parliament until the fourteenth day of this present month of August, at which time in our Town of York you were held and constrained to appear.

But we, taking into our Royal Consideration the ease and convenience of our loving subjects, have thought fit, by and with the advice and consent of our Executive Council, to relieve you and each of you that on the eighteenth day of September next ensuing you meet us in our Provincial Parliament in our Town of York, there to take into consideration the state and welfare of Our Province of Upper Canada, and therein to do as may seem necessary; herein fail not.

In testimony whereof we have caused these our letters to be made patent, and the Great Seal of our said Province to be hereunto affixed;

Witness our trusty and well beloved Peter Hunter, Esquire, our Lieutenant Governor of our said Province, and Lieutenant General Commanding our forces in our Provinces of Upper and Lower Canada, at York, this sixth day of August, in the year of Our Lord one thousand eight hundred and two, and in the 42nd year of our reign.

P. H.

William Jarvis,  
Secretary.

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By a further proclamation of His Excellency Peter Hunter, Esquire, Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. &c. dated at York the sixteenth day of September, one thousand eight hundred and two, the meeting of the Legislative Council and House of Assembly stands prorogued to the twenty fifth day of October, one thousand eight hundred and two.



By a further proclamation of His Excellency, Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. &c. dated at York the twenty third of October, one thousand eight hundred and two, the meeting of the Legislative Council and House of Assembly stands prorogued to the second day of December, one thousand eight hundred and two.

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By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. &c. dated at York the twenty ninth day of November, one thousand eight hundred and two, the meeting of the Legislative Council and House of Assembly stands prorogued to the fifth day of January, one thousand eight hundred and three.

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By a further Proclamation by His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, &c. &c. dated at York the eleventh day of December, one thousand eight hundred and two, the meeting of the Legislative Council and House of Assembly stands prorogued to the seventeenth day of January, one thousand eight hundred and three.

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PETER HUNTER, Lieutenant Governor.

#### PROCLAMATION.

*22nd. January 1803.*

George the Third, by the Grace of God, of the United Kingdoms of Great Britain and Ireland King, Defender of the Faith.

To all our Loving Subjects, Greeting.

Whereas by our Proclamation bearing date the fifteenth day of this instant January, we thought fit, by and with the advice of our Executive Council, to prorogue our Provincial Parliament of Upper Canada until the twenty fourth day of January instant; at which time in our Town of York you were held and constrained to appear. But we taking into Our Royal consideration the ease and convenience of our loving subjects have thought fit, by and with the advice of our Executive Council, to release you and each of you of your attendance at the time aforesaid, hereby revoking, and by these presents enjoining you and each of you that on the twenty-seventh of this present month of January you do meet us in our Provincial Parliament in our Town of York in the actual despatch of Public Business, and to take into consideration the state and defense of our Province of Upper Canada, and therein to do as may seem necessary. Herein fail not.

In testimony Whereof we have caused these our letters to be made patent, and the seal of our said Province to be hereunto affixed.

Witness our trusty and well beloved Peter Hunter, Esquire, our Lieutenant Governor of our said Province, and Lieutenant General Commanding our forces in our Provinces of Upper and Lower Canada, at York, this 22nd day of January, in the Year of Our Lord one thousand eight hundred and three, and forty-third of our reign.

P. H.

By His Excellency's Command.

William Jarvis,  
\* Secretary.

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HOUSE OF ASSEMBLY, UPPER CANADA.

York, Thursday 27th January, 1803.

At the third Session of the third Parliament of Upper Canada, begun and held in the Town of York on Thursday, the twenty-seventh day of January, in the forty-third year of the reign of our Sovereign Lord George the Third, by the Grace of God of the United Kingdom of Great Britain and Ireland, Defender of the Faith, and so forth; and in the year of our Lord One thousand eight hundred and three:

His Excellency the Lieutenant Governor, having prorogued the meeting of Parliament until the fourteenth day of August, 1802, and by his Proclamations annexed having further prorogued the same from time to time until this day;

The House being met,

Mr. Solicitor General delivered a written Message from His Excellency the Lieutenant Governor, which was read by the Clerk at the Table, and is as follows.

PETER HUNTER, Lieutenant Governor.

The Lieutenant Governor, having reason to apprehend that the Honorable David William Smith, the present Speaker of the House of Assembly, who is now absent from the Country, will not return to it in time to discharge the duties of that office during the present Session, is desirous that the House will immediately proceed to the election of another person to be speaker, and that the person so elected be presented to the Lieutenant Governor on Thursday next at one o'clock in the Legislative Council Chamber.

P. H.

York, 25th January, 1803.

Then A. Macdonell, Esquire, of York, standing up addressed himself to the Clerk, who standing up pointed to him and then sat down, and said:

Mr. MacLean,

I propose to the House for their Speaker David McG. Rogers, Esquire,— in which motion he was seconded by Richard Beasley, Esquire.

The Clerk then put the question whether it be the pleasure of this House that David McG. Rogers, Esquire, do take the chair of this House as their Speaker.

The House divided, and the names were taken down as follows:

## YEAS

## NAYS

MESSRS. MACDONELL (York)

FERGUSON

BEASLEY

THOMPSON

MESSRS. SOLICITOR GEN.

SHERIFF MACDONELL

ELLIOTT

NELLES

CLENCH

WASHBURN

The same was carried in the negative by a majority of two.

Timothy Thompson, Esquire, then stood up, and addressing himself to the Clerk, who standing up pointed to him and then sat down, said,

I propose to the House for their Speaker Mr. Solicitor General,— in which motion he was seconded by John Ferguson, Esquire.

A division thereupon took place, and the names were taken down, and are as follows:

## YEAS.

## NAYS.

MESSRS. THOMPSON

NELLES

CLENCH

WASHBURN

MESSRS. BEASLEY

SHERIFF MACDONELL

ELLIOTT

FERGUSON

ROGERS

The same passed in the negative by a majority of two

Then A. Macdonell, of York, Esquire, stood up, and addressing himself to the Clerk, who standing up pointed to him and then sat down, proposed to the House for their Speaker Mr. Sheriff Macdonell, in which he was seconded by Ebenezer Washburn, Esquire,

A division thereupon took place, and the names were taken down, and are as followeth:

## YEAS.

## NAYS.

MESSRS. ELLIOTT

SOLICITOR GEN'L

MACDONELL (York)

WASHBURN

MESSRS. FERGUSON

BEASLEY

ROGERS

THOMPSON

NELLES

CLENCH

The same was carried in the negative by a majority of two.

John Ferguson, Esquire, then stood up, and addressing himself to the Clerk, who standing up pointed to him and then sat down, proposed to the House Richard Beasley, Esquire, as their Speaker,—in which motion he was seconded by David McG. Rogers, Esquire.



A division thereupon took place, and the names were taken down as follows:

## YEAS

MESSRS. FERGUSON  
MACDONELL (York)  
ROGERS  
THOMPSON  
NELLES  
CLENCH

## NAYS

MESSRS. ELLIOTT  
SHERIFF MACDONELL  
SOLICITOR GENERAL  
WASHBURN

The Clerk having declared Richard Beasley, Esquire, duly elected by a majority of two, he was led to the Chair by David McG. Rogers and Ralph Clench, Esquires, where being placed he expressed himself truly sensible of the high honor the House had been pleased to confer upon him.

The Mace was then laid on the table.

Then Mr. Rogers, addressing himself to Mr. Speaker elect, moved, seconded by Mr. Nelles, that this House do now adjourn until one o'clock this afternoon.

The House accordingly adjourned.

The House being met accordingly to adjournment, and Mr. Speaker elect having taken the Chair,

A Message was brought by Mr. George Law, Gentleman Usher of the Black Rod,

Gentlemen of the House of Assembly,

It is His Excellency the Lieutenant Governor's pleasure that this Honorable House do immediately attend His Excellency in the Legislative Council Chamber.

Accordingly Mr. Speaker elect with the Members went up to the Legislative Council Chamber.

And then the Honorable Speaker of the Legislative Council asked if they had chosen their Speaker.

Then Richard Beasley, Esquire, was presented as their Speaker elect.

Then the Honorable Speaker of the Legislative Council said,

The Lieutenant Governor commands me to say that he is perfectly satisfied with the choice of the Assembly, and doth allow and confirm you, Mr. Beasley to be its Speaker.

Then Mr. Speaker addressed himself.

May it please Your Excellency,

The honor which the House of Assembly have conferred in choosing me to be their Speaker is as great as the important duties of the office are above my abilities. My zeal, however ardent, not sufficiently compensating for my incapacity, I most respectfully implore the excuse and commands of Your Excellency.

I most humbly claim in the name of the Assembly the freedom of speech and generally all the like privileges and liberties as are enjoyed by the Commons of Great Britain, our Mother Country as they were heretofore granted to the House of Assembly the first Session of the third Parliament of this Parliament.

Then the Honorable Speaker, of the Legislative Council said,

The Lieutenant Governor commands me to assure the Assembly that it may depend on the unlimited enjoyment of all its privileges.

The House being returned, Mr. Speaker reported that the House had been in the Legislative Council Chamber, where his Excellency had been pleased to approve the choice the House had made of him to be their Speaker, and that he had in their name and on their behalf by humble petitions to His Excellency laid claim to all their rights and privileges, which His Excellency had been pleased to allow.

Then Mr. Speaker did again return his humble thanks to the House for the very great honor they had now done him, and did assure them of his fidelity in their service, humbly requesting their protection and assistance to him in the discharge of his great trust, and of their indulgence to him in the pardon of his failings and imperfections in it.

Mr. Speaker further reported that when the house attended His Excellency this day in the Legislative Council Chamber, His Excellency was pleased to make a speech to both Houses of the Provincial Parliament of which Mr. Speaker said he had to prevent mistakes obtained a copy, which he read to the House, and is as followeth. Videlicet.

Honorable Gentlemen of the Legislative Council  
and

Gentlemen of the House of Assembly:—

You are now assembled at a season of the year when I trust your attendance upon your Public duty will least interfere with your private concerns.

It is highly pleasing to me that I have to congratulate you on the termination of hostilities between our Mother Country and the other belligerent Powers of Europe and in announcing to you that since the last Session I have received Official information of the signature of the definitive Treaty of Peace.

I have also particular satisfaction in notifying to you the present prospect of an increase in that branch of our Revenue which arises from the importation of merchandise from the United States into this province. At the same time I think it necessary to call your attention to a revision of that law by which those duties were imposed, fully relying that your wisdom and exertions will be abundantly adequate to the introduction of such better regulations and provisions as will ensure to this Province those duties which, according to the true spirit and meaning of the law, ought to be yielded.

I am also fully persuaded that you will find it an object worthy your mature and deliberate consideration to adopt such amendments in all our other Provincial Laws, relating to our internal revenues, as will prove an efficient remedy against evasion and fraud (an evil now existing in too great an extent) and as will effectually enforce a just and equitable collection of those very light and easy taxes which have been imposed to meet the public exigencies, and which the resources of His Majesty's subjects of Upper Canada are fully equal to discharge.

Gentlemen of the House of Assembly,

I have ordered the public Accounts to be laid before you, and I am persuaded you will bestow upon them that careful attention which the nature of the subject requires.

Honorable Gentlemen of the Legislative Council  
and  
Gentlemen of the House of Assembly,

Since I last met you in this place I have issued a proclamation and caused as general a circulation of it throughout the Province as could be provided, notifying to the Public the times and places when the Commissioners for ascertaining and securing titles to lands will attend for the final accomplishment of that business, and I trust that the labours and exertions of those engaged in it will ultimately secure the King's subjects indisputable titles to their landed property, an object so truly essential to the interests and happiness of them and their posterity as to be almost inestimable.

The confidence I have in your wisdom and experience, as well in your knowledge, of the present situation and circumstances of the Province, render it unnecessary that I should point your attention to the enacting of any particular laws in addition to our present code, resting fully assured that giving energy to the King's Government and passing such Statutes as will ultimately promote the happiness and prosperity of his people will in all our deliberations be the principal objects ever kept in view, the attainment of which I feel confident will engage your utmost assiduity and exertions.

Then Mr. Solicitor General moved, seconded by Mr. Clench, that Mr. Rogers, Mr. Ferguson, and Mr. Thompson be a Committee to draft an Address to His Excellency the Lieutenant Governor in answer to His Excellency's Speech, and present the same to this House for its approbation to-morrow.

Ordered unanimously.

Mr. Rogers then moved, seconded by Mr. Nelles, that Mr. Solicitor General and Mr. Clench be added to the Committee.

Ordered accordingly.

Then Mr. Sheriff Macdonell gave notice that he will on to-morrow move to have the quorum reduced from eleven to nine.

On motion of Mr. Rogers, seconded by Mr. Nelles, the House adjourned.

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*Friday, 28th January, 1803*

Mr. Solicitor General, from the Committee appointed to draft an Address of Thanks to His Excellency the Lieutenant Governor for his Speech to both Houses on opening the present Session, reported that the Committee had prepared an Address accordingly, which he was directed to submit to the House whenever it should be pleased to receive the same.

Ordered that the Report be now received.

Which Report he read in his place, and then delivered in the same at the Table.

On motion of Mr. Rogers, seconded by Mr. Nelles, the House resolved itself into Committee to take up the consideration of the answer to His Excellency's Speech to both Houses of Parliament.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.



Mr. Sheriff Macdonell reported that the Committee had gone through the draft of an Address to His Excellency the Lieutenant Governor, to which they had made some amendments, which he was directed to report to the House whenever it shall be pleased to receive the same.

Ordered, That the report be now received.

Which report was accepted, and the Address is as follows.

To His Excellency Peter Hunter, Esquire,  
Lieutenant Governor of the province of  
Upper Canada, and Lieut. General Commanding  
His Majesty's Forces in Upper and Lower  
Canada, &c. &c.

May it please Your Excellency,

We, His Majesty's most dutiful and loyal subjects, The Commons of the Province of Upper Canada in parliament assembled, return you our thanks for Your Excellency's Speech, and for your consideration in calling us together at a season of the year when our attendance upon our public duty will least interfere with our private concerns.

We sincerely rejoice with Your Excellency in the termination of hostilities between the other belligerent powers of Europe and our Mother Country, and we fervently hope that the Treaty of Peace, of which Your Excellency has had official intimation, may be a lasting one, by which means we may continue to enjoy in tranquility the many advantages we possess under her protection.

We are happy to find that there is a prospect of an increase of our revenue arising on the merchandise imported from the United States into this Province, and, knowing its importance, we assure Your Excellency that our most serious attention shall not be wanting to revise the law by which these duties are imposed, and that we shall endeavour to make such further regulations and provisions as will ensure to the Province those duties which, according to the spirit and meaning of the law, ought to be yielded.

We are truly sensible that the taxes imposed by our other Provincial laws to meet the public exigencies are light and easy on His Majesty's subjects of this Province, and being well convinced that their resources are fully equal to discharge them, our mature and deliberate consideration shall be bestowed in adopting such amendments as will prove an efficient remedy against any fraud or evasion which may exist, and as will enforce a just and equitable collection of the said taxes.

We shall bestow our most careful attention upon the public accounts, which Your Excellency for your solicitude for the welfare and happiness of the King's subjects in this Province, and their prosperity, evinced by your issuing a proclamation which has been notified of the times and places where the Commissioners for ascertaining titles to land will attend for accelerating the accomplishment of that business, which, by the labour and exertions of those engaged in it, will ultimately produce the most happy effects, in securing to them indisputable titles to their landed property, an object truly estimable.

The happiness and prosperity of His Majesty's subjects must ever be our principal object in all our deliberations, and we assure Your Excellency our exertions shall always be used in enacting such particular laws in addition to our present code as the situation and circumstances of the Province render necessary,

and as will give energy to the Government under which we have the happiness to live and enjoy so many blessings.

Commons House of Assembly,  
York, 28th January, 1803.

Mr. Rogers moved, seconded by Mr. Sheriff Macdonell, that the draft of an Address to His Excellency the Lieutenant Governor reported by the Committee be engrossed, and that a Committee be appointed to wait upon His Excellency the Lieutenant Governor to know when he will be pleased to receive the same.

Ordered accordingly.

Then Mr. Sheriff Macdonell moved, seconded by Mr. Rogers, That Messrs. Thompson, Nelles, Clench and Washburn be a Committee to wait on His Excellency the Lieutenant-Governor, to request to know when he will be pleased to receive the Address of this House in answer to his Speech.

Mr. Clench then moved, seconded by Mr. Nelles, that after Mr. Washburn Mr. Rogers be inserted.

The same passed in the negative.

Then the main question was put up, and carried in the affirmative, and ordered accordingly.

Mr. Macdonell of York gave notice, That on Monday next he will move certain resolutions as the foundation of an Address to the King's Most Excellent Majesty, humbly beseeching that no Court of Chancery be constituted in this Province without the advice and consent of the Legislative Council and Assembly thereof.

Mr. Macdonell of York gave notice, That he will on to-morrow move for leave to bring up a Petition from the Inhabitants of the Township of Kingston.

Mr. Speaker informed the House that application had been made to him by the Clerk of this House as follows.

The Clerk of the House of Assembly has the honor of stating respectfully to Mr. Speaker that the duties of his Office require that firewood, candles and candlesticks &c should be provided.

(Signed) Donald MacLean,  
Clerk.

Commons House of Assembly  
28th Jan'y 1803.

Mr. Solicitor General then Moved, seconded by Mr. Sheriff Macdonell, that Mr. Speaker do authorize and direct the Clerk of the House to provide the articles necessary for the convenience of this House, and to employ one or more persons in the capacity of messengers and servants to attend fires and other purposes.

A division thereupon took place, and the names were ordered to be taken down, and are as follows.

## YEAS

## NAYS

MESSRS SOLICITOR GENERAL	MESSRS. ELLIOTT
SHERIFF MACDONELL	ROGERS
MACDONELL (York)	NELLES
THOMPSON	CLENCH
WASHBURN	
FERGUSON	

The same was carried in the affirmative by a majority of two and ordered accordingly.

Mr. Sheriff Macdonell then moved, seconded by Mr. Elliott, that the twenty-sixth rule of the Revised Rules and Regulations of this House be dispensed with for the present Session.

Which passed in the negative.

Mr. Sheriff Macdonell moved, seconded by Mr. Ferguson, That the first Rule of the Revised Rules and Regulations of this House, which directs that eleven Members shall be a quorum of the House, including the Speaker, be dispensed with for the present Session, and that the quorum shall consist of nine Members, including the Speaker.

Carried in the negative.

On motion of Mr. Solicitor General, seconded by Mr. Nelles, the House adjourned.

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*Saturday, 29th January, 1803.*

Mr. Thompson reported that in obedience to the order of this House the messenger had waited upon His Excellency the Lieutenant Governor to know his pleasure when he would receive this House with its Address and that His Excellency was pleased to appoint this day at twelve o'clock.

Mr. Ferguson moved, seconded by Mr. Rogers, for leave to bring up Petition from the Inhabitants from the Township of Kingston.

Leave was accordingly granted, and the said petition was ordered to lie on the Table.

Mr. Macdonell of York gave notice that he will move on Monday next for leave to bring in a Bill to authorize and appoint Commissioners to ascertain and declare what shall be deemed for a limited time Public Highways and Roads in the Districts of London and Niagara, and for other purposes therein mentioned.

Mr. Clench gave notice that he will move for leave on Monday next to present the petition of Peter McMicking and William Cooper, Coroners for the Home and Niagara Districts.

Mr. Speaker attended by the House went up at the Hour appointed with the Address of this House to His Excellency the Lieutenant Governor, and being returned Mr. Speaker reported that the House had attended His Excellency with their Address, to which His Excellency had been pleased to return the following answer.

Gentlemen of the House of Assembly,—

I thank you for this dutiful and loyal Address. Your congratulation on the termination of hostilities in Europe is also highly acceptable to me, and your concurrence with my wishes for the amendment of our Revenue Laws afford me great satisfaction.

I am fully convinced of the sincerity of your assurances that the giving energy to His Majesty's Government, and the promotion of the happiness of his subjects in this province will form the principal object of your future deliberations.

Then Mr. Speaker adjourned the House for the want of a quorum.



*Monday, 31st January, 1803.*

Prayers were read.

Mr. Solicitor General gave notice that he will on to-morrow move the House that a Committee be appointed to take into their consideration the Revenue Law, and to the House the necessary amendments to be made in the same.

Mr. McCrae moved, seconded by Mr. Elliott, for leave to bring in a Bill on to-morrow to extend the bounty for the destruction of wolves to the Western District, and for other purposes therein mentioned.

Leave was given accordingly.

Mr. Ferguson gave notice that he will on to-morrow move that this House do require the Clerks of the Legislative Council and House of Assembly to make known to this House what became of a Bill which passed the Legislative Council and House of Assembly during their last session, empowering His Excellency the Lieutenant Governor, or person administering the Government, to license Barristers and Attorneys in this Province; and to give reasons why the same was not presented in due time to His Excellency the Lieutenant Governor.

Mr. Clench, seconded by Mr. Rogers, moved for leave to bring in a Bill to-morrow to extend the Jurisdiction of the District Courts throughout this Province.

Accordingly leave was granted.

Mr. Ferguson gave notice that he will on to-morrow move that this House do require the Clerks of the Legislative Council and House of Assembly to make known to this House what became of a Bill which passed the Legislative Council and House of Assembly during their last Session, empowering His Excellency the Lieutenant Governor, or person administering the Government, to license Barristers and Attorneys in this Province; and to give reasons why the same was not presented in due time to His Excellency the Lieutenant Governor.

Mr. Clench, seconded by Mr. Rogers, moved for leave to bring in a Bill to-morrow to extend the Jurisdiction of the District Courts throughout this Province.

Accordingly leave was granted.

Mr. Washburn gave notice that he will on to-morrow move the House that a Committee be appointed to take into their consideration some proper mode of altering the present mode of taxation within this Province, and to report the same to this House.

Mr. Macdonell of York moved, seconded by Mr. Nelles, for leave to bring in on Thursday next a Bill to authorize and appoint Commissioners to ascertain and declare what shall be deemed for a limited time Public Highways and Roads in certain parts of this Province,— and for other purposes therein mentioned.

Leave was granted.

Mr. Macdonell of York, seconded by Mr. Sheriff Macdonell, moved for leave to bring in on Monday next a Bill to enable the Sheriff of the Home District to summon the number of Jurors required by His Majesty's Writs, from time to time to him directed.

Accordingly leave was granted.

Mr. Macdonell of York then moved, seconded by Mr. Clench, that the leave given him on Saturday last to move certain resolutions in respect to the creation of a Court of Chancery do stand upon the Order of the Day to-morrow.

Ordered accordingly.

On motion of Mr. Washburn, seconded by Mr. Nelles, the House adjourned.

*Tuesday, 1st February 1803.*

Prayers were read.

Mr. Solicitor General, seconded by Mr. Sheriff Macdonell, moved that the House resolve into a Committee of the whole House to take into consideration the Revenue Laws, and to report to the House the necessary amendments to be made in the same.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported a progress, and asked leave to sit again to-morrow.

Leave was accordingly granted.

According to leave Mr. Clench brought in a Bill to extend the jurisdiction of the Courts of Requests throughout this Province.

Which was read for the first time.

Mr. Clench, seconded by Mr. Ferguson, moved that the said Bill be read a second time on Monday next.

Ordered accordingly.

Mr. McCrae, agreeable to leave given, brought in a Bill to extend the bounty for the destruction of wolves to the western District, and for other purposes therein mentioned.

Which Bill was read the first time.

Mr. McCrae then moved, seconded by Mr. Clench, that the said Bill be read a second time to-morrow.

Ordered accordingly.

Then Mr. Macdonell of York gave notice that he will move to-morrow that Messengers be sent to the Legislative Council informing them that this House is ready, in conjunction with them, to inquire into the reasons which prevented a Bill, which had passed the two Houses of Legislature during the last Session, entitled "An Act to authorize the Lieutenant Governor, or person administering the Government of this Province, to license Practitioners in the Law" was not presented before the last Prorogation of His Excellency to receive His Majesty's assent.

Mr. Macdonell of York, seconded by Mr. Rogers, moved for leave to bring in on Saturday next a Bill for the more intimately assimilating the Jurisprudence of this Province in practice and substance to that of the Parent Country.

Leave was granted.

Mr. Macdonell of York, seconded by Mr. Clench, moved for leave to bring in a Bill on Saturday next to subject transient and itinerent persons to arrest for small debts.

On motion of Mr. Rogers, seconded by Mr. Ferguson, the House adjourned.

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*Wednesday, 2nd February, 1803.*

Prayers were read.

Mr. Macdonell of York, seconded by Mr. Swayzie, moved that a Committee be appointed, to report a revised and amended table of fees to be allowed and taken in the several Courts of Judicature within the Province, to sit so as not to inter-

fere with the other business of this House, and to report with all convenient speed, with power to send for persons and papers.

Ordered accordingly.

Mr. Clench moved, seconded by Mr. Rogers, that Sheriff Macdonell, Isaac Swayzie, and Captain Elliott be a Committee to report and revise a table of fees to be allowed and taken in the several Courts of Judicature within this Province, and that two thereof be a Quorum.

The same was ordered, accordingly.

Mr. Macdonell of York gave notice that he will move for leave to bring in on Monday next the Petition of Nicholas Hogeboom, Esquire.

Read for the second time, A Bill to empower the Sheriff of the Home District to summon Jurors agreeable to His Majesty's Writs to him directed.

Then Mr. Macdonell of York, seconded by Mr. Clench, moved that the said Bill be read a second time on Monday next.

Ordered accordingly.

Mr. Macdonell of York moved, seconded by Mr. McCrae, that a Message by two Members be sent to the Legislative Council, informing them that this House is ready to co-operate with them, in a conference or otherwise, in investigating the reasons which prevented a Bill entitled "An Act to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province, to license Practitioners in the Law" from being submitted to His Excellency the Lieutenant Governor's consideration previous to last prorogation; in order that he might have declared His Majesty's pleasure thereupon:—the said Bill having passed both Houses of Parliament previous to such last prorogation.

Mr. Ferguson then moved in amendment, seconded by Mr. McCrae, that after the word "House," the words "is ready to co-operate with them, in conference or otherwise" be expunged, and that in lieu thereof be inserted "request a conference to."

Which amendment was carried in the affirmative, and ordered accordingly,

Mr. Macdonell of York, seconded by Mr. Clench, moved that Captain Elliott and Mr. McCrae do carry up said message.

Which was ordered accordingly.

Read the second time, the Bill to extend the bounty for the destruction of wolves to the Western District.

Mr. Clench, seconded by Mr. McCrae, moved that this House do now resolve itself into a Committee accordingly.

Mr. Speaker left the Chair.

Mr. Washburn was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported the Bill as amended.

Which report was accepted.

Then Mr. McCrae moved, seconded by Captain Elliott, that this Bill be engrossed and read a third time on to-morrow.

Ordered accordingly.

Agreeable to the order of the Day, the House resolved itself into Committee to take up the further amendments to be made in the present Revenue Laws.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the Chair of the Committee.



Mr. Speaker resumed the Chair.

Mr. Ferguson reported progress, and asked leave to sit again to-morrow. Which leave was accordingly granted.

Mr. Rogers gave notice that he will on to-morrow move that the names of the Members of this House be called over on Monday next.

On motion of Mr. Ferguson, seconded by Captain Elliott, the House adjourned.

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*Thursday, 3rd February, 1803.*

Prayers were read.

Mr. Rogers moved, seconded by Mr. Solicitor General, that the names of the Members of this House be called over on Monday next.

Ordered accordingly.

Read a third time, the engrossed Act for the destroying of wolves in the Western District.

Then Mr. Macdonell of York moved, seconded by Mr. McCrae, that the title of the said Bill be "An Act for further altering and amending an Act passed in the thirty third year of His Majesty's Reign, entitled "Act to encourage the destroying of Wolves and Bears in different parts of this province."

Ordered accordingly.

The same Bill then passed and was signed by Mr. Speaker.

Then Mr. Clench, seconded by Mr. Washburn, moved that Mr. McCrae and Mr. Nelles do carry this Bill to the Legislative Council and request their concurrence thereto.

Ordered accordingly.

Mr. Washburn gave notice that he will on to-morrow move for leave to bring in a Bill on Tuesday next, to extend the jurisdiction of the Courts of Requests within this province.

Mr. Ferguson, seconded by Mr. Sheriff Macdonell, moved that so much of the order of the day as directs that the House shall go into Committee on the Revenue Bill be dispensed with, and that the same shall stand committed for to-morrow.

Ordered accordingly.

Then was read for the first time a Bill to authorize and appoint Commissioners to ascertain and declare what shall be deemed for a limited time Public Highways and Roads in certain parts of this Province.

Mr. Clench then moved, seconded by Mr. Nelles, that the said Bill be read a second time on Monday next.

The same was ordered accordingly.

Mr. Washburn gave notice that he will on to-morrow move for leave on Tuesday next to bring in a Bill to repeal certain parts of an Act passed in the forty first year of His Majesty's Reign, entitled, "An Act to authorize the Governor or person administering the Government to appoint inspectors of Flour, Pot and Pearl Ashes, within this province, and to make further provision for the same."

Then Mr. Macdonell of York gave notice that he will move on Saturday next that the House do resolve itself into a Committee of the Whole, to take into their consideration the most effectual means of encouraging the growth and exportation of hemp, and to report thereon.

On motion of Mr. Sheriff Macdonell, seconded by Captain Elliott, the House adjourned.

*Friday, 4th February, 1803.*

Prayers were read.

Mr. McCrae, One of the Messengers named, informed the House that they had carried up to the Honorable Legislative Council the Bill for further altering and amending an Act passed in the thirty third year of His Majesty's Reign, entitled "An Act to encourage the destroying of Wolves and Bears in the different parts of this Province," and did request their concurrence.

Mr. Macdonell of York then moved, seconded by Mr. Clench, for leave to bring up on Monday next the Petition of the Six Nations of Indians, inhabiting the Grand-River,—by Captain Joseph Brant, their Agent.

Leave was accordingly granted.

Mr. Sheriff Macdonell then moved, seconded by Mr. Elliott, that all matters and things upon the Order of this Day, or to-morrow, do stand over as part of the Order of the Day for Monday next.

Ordered accordingly.

On motion of Mr. Sheriff Macdonell, seconded by Captain Elliott, the House adjourned until Monday next.

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*Monday, 7th February, 1803.*

Prayers were read.

Mr. Macdonell of York, according to notice given, brought up the Petition of Nicholas Hogeboom Esq. which was ordered to lie on the Table, as also the Petition of the Six Nations of Indians, settled upon and along the River Ouze or Grand River, which was also ordered to lie on the Table.

Mr. Solicitor General then moved, seconded by Mr. Sheriff Macdonell, for leave to bring in a Bill on to-morrow for the more uniform laying of assessments and rates in this Province.

Leave was accordingly granted.

The Order of the Day for the Call of the House being read,

Ordered, That the House be now called over.

The House was accordingly called over, and several of the Members appeared, and the names of such members as made default to appear were taken down, and are as follows.

ANGUS MACDONELL, of Glengarry  
JACOB WEAGER  
SAMUEL SHERWOOD  
WILLIAM BUELL  
DAVID WILLIAM SMITH (in England)  
THOMAS McKEE  
ISAAC SWAYZIE (sick)

Mr. Macdonell of York gave notice that he will move on Wednesday next that fines be set upon such of the Members as have absented themselves from their duty in this House during the present Session, who shall not appear to have a sufficient cause of absence.

Mr. Clench moved, seconded by Mr. Nelles, that the Order of the Day for the second reading of the Bill for the more effectual recovery of the debts in the District Courts be discharged, and that the said Bill be read a second time on Wednesday.

Ordered accordingly.

Agreeable to the Order of the Day the House resolved itself into Committee to take up the further consideration of the Provincial Revenue of this Province.

Mr. Speaker left the Chair.

Mr. Ferguson took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported a progress, and asked for leave to sit again this day. Leave was accordingly granted.

Then William Jarvis, Esquire, Secretary to the Province, delivered in at the Bar of this House the Public Provincial Accounts, as per schedule, which was read by the Clerk at the Table, and are as follows.

No. 1. General Account of Goods liable to duties imported from the United States, for which the duties have been collected between the first of April and the 31st of December 1802.

2. General State of receipts and payments for Port and License duties, under Acts of the Provincial parliament, between the 28th of May 1802 and 26th of February 1803.

3. Abstract of Warrants issued by His Excellency Lieut. General Peter Hunter, Lieutenant Governor of the Province of Upper Canada, for moneys charged against the funds arising from duties imposed by the Provincial Legislature, pursuant to an Act passed in the first Session of the third Parliament of this Province for that purpose.

4. General Account of articles on which duties on importation are imposed by the Legislature of Lower Canada, which have passed Coteau du Lac upwards, from the 1st of January to the 30th day of June 1802, agreeable to the written accounts thereof, received, or as ascertained on examination of carriages according to the Act.

5. Mr. Secretary Jarvis' list of names of such persons as have been licensed to work Stills in the several Districts of the Province of Upper Canada, for the year ending the 5th of April 1802, with amount of duty collected thereon, pursuant to an Act of the Provincial Parliament.

6. Mr. Secretary Jarvis' list of names of persons licensed as shop and inn keepers in the several Districts of the Province of Upper Canada for the year ending the 5th of April 1803.

(For schedule see Appendix 1.)

The House again resolved itself into Committee on the Revenue Law.

The Speaker left the Chair.

Mr. Ferguson again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported a progress, and was directed to ask leave to sit again. Leave was accordingly granted.

Agreeable to the order of the Day was read for the first time,

An Act to compel transient and itinerant persons to satisfy small debts.

Mr. Clench moved, seconded by Mr. Nelles, that the said Bill be read a second time. Ordered accordingly.



According to the Order of the Day was read a second time.

The Bill for establishing Highways and Roads throughout this Province

On motion of Mr. Clench, seconded by Mr. McCrae, the House resolved itself into Committee to take up the further consideration of the Bill.

Mr. Speaker left the Chair.

Mr. Solicitor General was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Solicitor General reported that it was the opinion of the Committee that the further consideration of the said Bill should be postponed for three months.

Which report was accepted, and ordered accordingly.

Then Mr. Sheriff Macdonell, one of the Special Committee appointed by this House to revise a Table of Fees taken in the several Courts of Judicature in this Province, reported as follows.

Which he read in his place, and then delivered the same in at the Table, where it was again read by the Clerk, and the three letters Nos. 1, 2 and 3 accompanying it, which report and letters are as follows.

To the Honorable the Speaker, and the Honorable Members of the Commons House of Assembly, in Parliament assembled.

The Report of the Committee appointed to Report a revised Table of Fees, taken in the several Courts of Judicature in this Province.

Respectfully Sheweth:—

That Your Committee, throughout their Chairman, directed the Clerk of the Crown, the Clerk of the Peace, the Clerk of the District Court, the Clerk of the Court of Requests, and William Weeks, Esquire, Barrister and Attorney, to attend on the Committee at two O'clock in the afternoon of this day, with a schedule of such fees as they were in the habit of receiving, and the authority under which they claimed the same. The Gentlemen all attended with the exception of the Clerk of the Crown, who addressed the letters numbered 1, 2 and 3 to the Chairman of your Committee.

All of which is respectfully submitted by order of the Committee.

(Signed) Alexander Macdonell,  
Chairman.

Letter No. 1.

York, 7th February, 1803.

Sir:—

In obedience to your notice I shall attend you and the Committee of the Commons House of Assembly at the hour appointed. In the meantime I enclose you a copy of the fees taken and received by me as Clerk of the Court of King's Bench in this Province.

I am Sir, your obedient Humble Servant,

(Sd.) David Burns, Clk Crown, &c.

Letter No. 2.

York, Monday, 1 o'clock P.M.  
7th February 1803.

Sir:—

Since delivering the Table of Fees this morning agreeable to your notice I have been advised that I have done more than I was compelled to and that my attendance on the Committee would not be proper until some further explanation.

I have the honor to be, Sir,

Your most humble servant,

(Sg.) David Burns,

Cl'k of the Crown & of the Common Pleas.

Alex'r Macdonell, Esq.

Chairman of the Committee

of the Commons House of Assembly.

Letter No. 3.

Monday, 7th February, 1803.

Sir:—

I am this moment favored with your note in answer to my last, and cannot after what I said in it make any other reply than by referring to its contents.

I have the honor to be,

Sir,

Your most humble servant,

David Burns,

Clerk of the Crown and of  
the Commons Pleas.

Half past two o'clock, p.m.

Alexander Macdonell, Esq.,

Chairman of the Committee

of the Commons House of Assembly.

Then Mr. Macdonell of York, seconded by Mr. Ferguson, moved that the Sergeant At Arms have the body of David Burns Esquire, Clerk of the Crown and Pleas, by the hour of twelve o'clock to-morrow at the Bar of this House, to answer for his contempt of the rights and privileges of this House by refusing to obey the orders of a Committee thereof, authorized to compel his attendance.

Ordered accordingly.

Mr. Washburn, seconded by Capt. Elliott, moved for leave to bring in a Bill on to-morrow to repeal certain parts of an Act passed in the forty first year of His Majesty's reign, entitled "An Act to authorize the Governor, Lieutenant Governor, or person administering the government to appoint Inspector of Flour, Pot and Pearl Ash within this Province, and to make further provision for the same.

Leave was accordingly granted.

Mr. Washburn again, seconded by Mr. Thompson, moved for leave on to-morrow to bring in a Bill to extend the jurisdiction of the Courts of Requests within this Province.

Accordingly leave was granted.

Mr. Macdonell of York moved, seconded by Mr. Clench, that what remains on the Order of the Day be considered as so much of the Order of the Day for to-morrow.

A division ensued, and the names were ordered to be taken down, and are as follows.

## YEAS

MESSRS. THOMPSON  
MACDONELL (York)  
ELLIOTT  
WASHBURN  
NELLES  
SHERIFF MACDONELL  
WASHBURN  
CLENCH  
McCRAE

## NAYS

MESSRS. SOLICITOR GEN.  
ROGERS

The same was carried in the affirmative by a majority of seven.

And ordered accordingly.

On motion of Mr. Clench, seconded by Mr. Macdonell of York, the House adjourned.

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*Tuesday, 8th February, 1803.*

Prayers were read.

Mr. Speaker informed the House that agreeable to their resolution of yesterday he had issued his Warrant to the Serjeant at Arms to have the body of David Burns, Esquire, Clerk of the Crown and Commons Pleas, in this province, before the House this day at twelve o'clock at noon, and that the Serjeant at Arms had informed him that he had the body of the said David Burns, Esquire, in custody.

Mr. Macdonell of York, seconded by Mr. Clench, moved that the House do adjourn for half an hour.

The House adjourned accordingly.

The House being met,

Mr. McCrae, one of the Messengers appointed to wait upon the Legislative Council with the request of this House to have a conference with them, reported that they had waited upon the Legislative Council with the same.

Read a second time, The Jury Bill for the House District.

Mr. Macdonell of York moved, seconded by Capt. Elliott, that the House do now resolve itself into Committee on the said Bill.

A Division ensued, and the names were taken down as follows.

## YEAS.

MESSRS. ELLIOTT  
A. MACDONELL (York)  
ROGERS  
SHERIFF MACDONELL  
McCRAE  
WASHBURN

## NAYS.

MESSRS. SOLICITOR GENL.  
NELLES  
FERGUSON  
CLENCH



Carried in the affirmative by a majority of two.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

The Honorable the Legislative Council have acceded to the message of the House of Assembly of this date requesting a conference, and have accordingly appointed four Members as a Committee to confer with the Committee of the House of Assembly thereon upon the adjournment of the Legislative Council this day, in the Council Chamber.

And then withdrew.

Mr. Sheriff Macdonell, seconded by Mr. Clench, moved that the Solicitor General, Messrs. Rogers, Ferguson, Nelles, Washburn, and Macdonell of York, be a Committee to confer with the Honorable Legislative Council, agreeable to their Message of this day.

The House then resolved itself into a Committee on the Jury Bill.

Mr. Speaker left the Chair.

Mr. Rogers was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported that the Committee had agreed to the Bill with some amendments, which they recommend the House to adopt.

Mr. Clench then moved, seconded by Mr. Ferguson, that this Report be not accepted.

The House divided thereupon, and the names were ordered to be taken down, and are as follows.

#### YEAS.

MESSRS. SOLICITOR GEN'L  
NELLES  
FERGUSON  
CLENCH

#### NAYS.

MESSRS. ELLIOTT  
MACDONELL (York)  
SHERIFF MACDONELL  
ROGERS  
McCRAE  
WASHBURN

Passed in the negative by a majority of two.

The Report was then accepted.

Mr. Macdonell of York moved, seconded by Mr. Washburn, that the following clause be added as the last section of the said Bill "And be it further enacted by the authority aforesaid that this Act shall be and continue to be in force for and during four years, and from thence until the end of the Session of Parliament then next immediately ensuing and no longer."

Ordered accordingly.

Mr. Macdonell of York moved, seconded by Mr. McCrae, that the said Bill be engrossed and read a third time to-morrow.

Ordered accordingly.

Mr. Speaker put the question, Shall David Burns, Esquire, Clerk of the Crown and Pleas, be now brought to the Bar of this House.

The House divided thereupon, the names were taken down, and are as follows.

## YEAS.

MESSRS. MACDONELL (York)  
 ROGERS  
 FERGUSON  
 CLENCH  
 WASHBURN  
 McCRAE

## NAYS.

MESSRS. ELLIOTT  
 SOL'R GENERAL  
 NELLES  
 SH'FF MACDONELL

Carried in the affirmative by a majority of two.

And ordered accordingly.

Then the Serjeant at Arms was ordered to bring David Burns, Esquire, to the Bar of this House.

The Serjeant at Arms being returned, reported as follows:

Mr. Speaker of the Honorable the Commons House of Assembly.

In obedience to the order I received from your Honor yesterday, to take into my custody David Burns, Esquire, Clerk of the Crown and of the Pleas, I attended the house of Mr. Burns this morning at ten o'clock and delivered to him a copy of the order I received, upon which Mr. Burns gave me his word that he would surrender himself to me at twelve o'clock this day. At half past one o'clock p.m., by your order, Mr. Speaker, I was sent to bring to the Bar of the Commons House Mr. Burns; but upon the application at the door of the Honorable the Legislative Council—where Mr. Burns sits as a Master in Chancery—I was informed the House was then sitting, but would soon break up. I accordingly withdrew myself and waited without the doors until the House should adjourn. After waiting about a quarter of an hour, the Usher of the Black Rod came to me, saying that the Chief Justice, The Honorable the Speaker of that House, had sent for me, directed me to come in. Upon my appearance at the Bar of that House, the Honorable the Speaker asked me what was my business; I answered that Mr. Burns being in my custody by virtue of a writ from the Speaker of the Commons House of Assembly I attended to conduct him to the Bar of that House. The Honorable the Speaker of the Legislative Council then asked me if I had the audaciousness, the affrontery to come there. I replied I only obeyed the orders that I received. He then said I would do well to consider in what manner I conducted myself. I then withdrew.

Commons House of Assembly,

8th February 1803,

half past two o'clock, p.m.

Mr. Macdonell of York, seconded by Mr. Ferguson, moved that this House do proceed to no business until they have vindicated the rights and privileges of the Commons of this Province in respect of the contumacy of Mr. Burns.

The House divided upon the motion, the names were taken down as follows.

## YEAS.

MESSRS. MACDONELL (York)  
 ROGERS  
 FERGUSON  
 WASHBURN  
 CLENCH

## NAYS.

MESSRS. SOL'R GENERAL  
 McCRAE  
 ELLIOTT  
 NELLES  
 SH'FF MACDONELL

The House being divided, Mr. Speaker gave his vote for the House to proceed to business.

On motion of Mr. Clench, seconded by Mr. Macdonell of York, the House adjourned.

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*Wednesday, 9th February 1803.*

Prayers were read.

Mr. Speaker took the Chair.

Members present.

MESSRS. SHERIFF MACDONELL  
SOLICITOR GENERAL  
ELLIOTT  
ROGERS  
McCRAE  
NELLES

At half past eleven Mr. Speaker adjourned the House for want of a Quorum.

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*Thursday, 10th February, 1803.*

Prayers were read.

Read a third time, Engrossed Bill to repeal part of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act for the Regulation of Juries."

Then Mr. Macdonell of York moved, seconded by Mr. Sheriff Macdonell, that the title be An Act to repeal for a limited time part of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act for the Regulation of Juries."

Ordered accordingly.

Mr. Macdonell of York, seconded by Mr. Clench, moved that the House do now resolve itself into a Committee of privileges.

Mr. Speaker having put the question thereupon, the House divided and the names being called for, they were taken down, and are as follows.

YEAS.

MESSRS. SH'FF MACDONELL  
MACDONELL  
THOMPSON  
FERGUSON  
ROGERS  
WASHBURN  
NELLES  
CLENCH

NAYS.

MESSRS. SOL'R GENERAL  
ELLIOTT  
McCRAE



The same was carried in the affirmative by a majority of five.

Accordingly the House then resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Thompson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported progress, and asked for leave to sit again this day.

Leave was accordingly granted.

A written message from the Honorable the Legislative Council by the Honorable John McGill, Esquire, which he read and then withdrew, and is as follows:

Mr. Speaker,

The extraordinary occasion on which I am deputed has induced the Legislative Council to depart from the usual mode of intercourse observed in communications from them to the House of Assembly. I am sent to this House to complain on the part of the Legislative Council of an insult offered to that body by an officer of the House of Assembly, the Sergeant at Arms, who has entered into the lobby of the Legislative Council Chamber and declared his purpose to be the taking into custody an officer of that House while the House was sitting.

8th February, 1803.

Which Message was afterwards read by Mr. Speaker.

Then Mr. Speaker, in consequence of the said Message, by the voice of the House, suspended the Sergeant at Arms from exercising the functions of his office in this House, and appointed Mr. Charles Willcocks pro tem to do the duties of that office in order to expedite the business now depending before the House, and until such time as the House do make inquiry into the conduct of their Sergeant at Arms, in consequence of the complaint just now read from the Honorable the Legislative Council against that officer.

A Message from the Honorable the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this Honorable House that they have concurred in passing without any amendment an Act for further altering and amending an Act passed in the thirty third year of His Majesty's Reign, entitled "An Act to encourage the destroying of wolves and bears in different parts of this Province."

I am further commanded to inform you that the Honorable Legislative Council have passed a Bill entitled "An Act to declare the rights of certain grantees of waste lands of the Crown," and to request the concurrence of this Honorable House.

And then withdrew.

Mr. Speaker left the Chair.

Mr. Thompson again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported that the Committee had come to several resolutions, which he was directed to report to the House whenever the House would be pleased to receive the same.

Ordered that the Report be now received and accepted.

Which Report and Resolutions are as follows.

Report of the Committee of privileges, whereof Timothy Thompson, Esq., was Chairman.

First, Resolved, That the House of Assembly of the Province of Upper Canada is a Superior Court of Record, and that every disobedience of the orders thereof is a high contempt and misdemeanor, punishable at its own discretion.

Second, Resolved, That the arrest of David Burns, Esquire, Clerk of the Crown and Pleas, by the officer of this House, in obedience to the warrant of Mr. Speaker, was proper and lawful.

Third, Resolved, That in aggravation in Mr. Burns' first offence he has been guilty of an escape and breach of parole, as appeareth by record of the Journals.

Fourth, Resolved accordingly, That process against the body of David Burns, Esquire, Clerk of the Crown and Pleas, under signature of the Honorable the Speaker of this House, do issue, and that he be brought by the proper officer to the Bar of this House to-morrow at ten o'clock in the forenoon.

Then Mr. Macdonell of York moved, seconded by Mr. Sheriff Macdonell, that the House do now resolve itself into Committee to take into consideration the Message from the Legislative Council, delivered by the Honorable John McGill, Esquire, one of the Members of the said Legislative Council.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Rogers was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported that the Committee had taken up and gone through the consideration of a written message from the Honorable Legislative Council, and that the Committee had come to a resolution thereupon, which he was directed to submit to the House whenever it would be pleased to receive the same.

The Resolution was then ordered to be received and is as follows—

Resolved, That the Committee do recommend to the House to send a Message to the Honorable the Legislative Council, informing them that in consequence of their complaint the House has suspended their Sergeant at Arms from the exercise of his function, and that this House, ever desirous of testifying to the Legislative Council their ready acquiescence in all friendly intercourse and convinced that the complaint this day made and communicated by one of their Honorable House is of such a nature as to require, not only consideration, but a guarded examination of the facts which gave rise to the same, and for the better ascertaining thereof a conference with that Honorable House be requested.

Then Mr. Sheriff Macdonell, seconded by Mr. Nelles, moved, That Messrs. Macdonell of York and Captain Elliott be a Committee to carry up this Message to the Honorable the Legislative Council.

Ordered accordingly.

Agreeable to a Resolution of this House this day, Mr. Speaker read a Warrant as follows:

To Charles Willcocks, Esquire, Special Messenger to the Commons House of Assembly.

In obedience to an order of the Commons House of Assembly of this date these are to authorize and command you that you have the body of David Burns, Esquire, Clerk of the Crown and Pleas, to-morrow, by the Hour of ten o'clock, at

the Bar of this House, to answer into such matters and things as may then and there be objected against him touching the contempt of the privileges of this House with which he stands charged, and abide by the pleasure of the House therein.

Commons House of Assembly,  
the tenth day of February,  
eighteen hundred and three.

Debates ensued on the propriety of addressing a warrant to Charles Willcocks, Esquire, Special Messenger appointed to this House,—which was alternately contended for.

Thereafter Mr. Speaker put the question, Shall I now sign the Warrant as read?

A division thereupon took place, and the names being called for, they were taken down, and are as follows:

## YEAS.

MESSRS. FERGUSON  
MACDONELL (YORK)  
McCRAE  
ROGERS  
WASHBURN  
THOMPSON  
CLENCH  
NELLES

## NAYS.

MESSRS. SH'FF MACDONELL  
ELLIOTT

Carried in the affirmative by a majority of six.

Then Mr. Speaker accordingly signed the Warrant.

Agreeable to the Order of the House, at the time appointed, the Managers named in behalf of this House went to the conference requested and agreed upon last Tuesday with the Legislative Council, and reported that they met the Managers on the part of the Legislative Council at the time and place appointed to hold the said conference and that they concurred with them in the following.

The Joint Committee of the Legislative Council and House of Assembly, in conference to investigate the reasons which prevented a Bill entitled "An Act to authorize the Governor, Lieut. Governor or person administering the Government of this Province, to license Practitioners in the Law" from being submitted to His Excellency the Lieutenant Governor's consideration previous to the late prorogation in order that he might have declared His Majesty's pleasure thereon, the said Bill having passed both Houses of Parliament, do concur in opinion that it was owing altogether to accidental circumstances that the said Bill was not submitted 8th February 1803.

On motion of Mr. Rogers, seconded by Capt. Elliott, the House adjourned.

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*Friday, 11th February, 1803.*

Prayers were read.

Mr. Speaker then informed the House that agreeable to the Order of this House yesterday he had issued his Warrant, to Charles Willcocks, Esq., Special Messenger, to have the body of David Burns, Esq., Clerk of the Crown and Pleas,



at the Bar of this House at the hour of ten o'clock this afternoon. Mr. Speaker then read the return of the Special Messenger made to the Warrant of Yesterday, issued to him, which is as follows:

Mr. Speaker,

I have the honor to inform you that in consequence of your Warrant I have taken the body of David Burns, Esquire, Clerk of the Crown and Pleas, into custody, and that I am ready when you think it proper to produce him at the Bar of this Honorable House.

(Signed) Charles Willcocks,  
Special Messenger.

11th February, 1803.

Mr. Speaker then put the question, Is it your pleasure that the body of David Burns, Esquire, be now brought to the Bar of this House.

A division thereupon took place, the names were taken down, and are as follows:

YEAS.

MESSRS. McCRAE  
MACDONELL (YORK)  
ROGERS  
FERGUSON  
CLENCH  
THOMPSON  
NELLES  
WASHBURN

NAYS.

MESSRS. SOLICITOR GENERAL  
ELLIOTT  
SH'FF MACDONELL

A majority of five for putting David Burns, Esq., to the Bar of this House. He was accordingly ordered to be brought to the Bar.

David Burns, Esquire, Clerk of the Crown and Pleas, then appeared at the Bar in custody of Charles Willcocks, Esquire, the Special Messenger.

Then Mr. Macdonell of York moved, seconded by Mr. Clench, that Mr. Burns be asked if he has aught to say for himself to extenuate or justify his contempt of the Orders of this House.

Then Mr. Speaker put the question, whether it was the pleasure of the House that Mr. Macdonell's motion as just now read should be put.

A division thereupon took place, and the names being called for were ordered to be taken down, and are as follows.

YEAS.

MESSRS. MACDONELL (YORK)  
FERGUSON  
ROGERS  
CLENCH  
THOMPSON  
NELLES  
WASHBURN

NAYS.

MESSRS. SH'FF MACDONELL  
ELLIOTT  
McCRAE  
SOLICITOR GEN.

Carried in the affirmative by a majority of three.

The question being then put by Mr. Speaker to David Burns, Esquire, Clerk of the Crown and of the Commons Pleas, he replied in writing as follows:

In answer to the question put by the Speaker to David Burns, Esquire, Clerk of the Crown and of the Commons Pleas, he says that it was very far from his intention to do anything that should wear the slightest appearance of insult, and further that it was equally distant from his wish to express contempt for the Speaker or the House, collectively or individually; but as a Servant of the Crown declines answering any question except through the medium of the person who here represents the Sovereign.

Mr. Sheriff Macdonell moved, seconded by Capt. Elliott, that David Burns, Esquire, now in custody of the Special Messenger at the Bar, be discharged, he having made an ample apology by saying that it was far from being his intention to do anything that should wear the slightest appearance of insult, and further that it was equally distant from his wish to express contempt for the Speaker or the House, collectively or individually, but as a Servant of the Crown declines answering any questions except through the medium of the person who here represents his Sovereign.

Then Mr. Macdonell of York moved an amendment, seconded by Mr. Clench, if he express his contrition for his offence without assigning any reasons in justification thereof he be discharged.

Which was carried in the affirmative.

Then Mr. Speaker put the question, Shall the motion as amended be now put to David Burns Esquire, Prisoner at the Bar.

Which was ordered.

The Speaker then asked David Burns Esquire, if he would express his contrition for his offence without assigning any reason in justification thereof, and if he did he would be discharged.

To which he answered he would not.

Mr. Macdonell of York, seconded by Mr. Clench, moved that Mr. Speaker do inform Mr. Burns that if in the first instance he had pleaded the privilege which it is said he has a right to claim as an Officer of the Legislative Council, this House, on being satisfied of his being such, would have allowed it to him, and should in that case have taken the proper measures to compel his attendance.

A division thereupon took place, the names were ordered to be taken down, and are as follows:

## YEAS

## NAYS

MESSRS. MACDONELL (YORK)

ROGERS

CLENCH

WASHBURN

MESSRS. SH'FF MACDONELL

ELIOTT

McCRAE

SOLICITOR GEN.

FERGUSON

THOMPSON

NELLES

The same passed in the negative by a majority of three.

Mr. Macdonell of York, seconded by Mr. Clench, moved that Mr. Burns be asked what his Offices under the Crown are, and whether he hold any which require his necessary and daily attendance upon the Sovereign or his Representative in this Province.

Then Mr. Speaker put the question if it was the pleasure of the House that the question be now put to Mr. Burns as read.

Which was ordered accordingly.

Then Mr. Speaker having put the same,

Mr. Burns replied that he was designated by His Majesty's Mandamus directed to him Clerk of the Crown and Common Pleas of the Province of Upper Canada, suggesting that he hold several other appointments, but not immediately from the Crown.

Mr. Macdonell of York, moved, seconded by Mr. Clench, That it be resolved by this House that as Clerk of the Crown and Common Pleas, Mr. Burns is not privileged from giving his attendance upon the Commons when they in their judgment for the public weal may command it.

A division ensued, and the names were ordered to be taken down, and are as follows.

## YEAS

## NAYS

MESSRS. SH'FF MACDONELL  
ELLIOTT  
MACDONELL (York)  
ROGERS  
CLENCH  
WASHBURN

MESSRS. SOLICITOR GEN.  
FERGUSON  
THOMPSON  
NELLES  
McCRAE

Carried in the affirmative by a majority of one.

Then the House resolved the same.

Mr. Macdonell of York, seconded by Mr. Church, moved that if David Burns, Esquire, now at the Bar of this House, have naught further to say or submit to this House, he do withdraw, and do remain in the custody of the Special Messenger at large until this House shall have taken further order in his case.

Ordered accordingly.

Then Mr. Speaker informed Mr. Burns that he was at liberty to withdraw from the Bar of this House.

He then withdrew from the Bar accordingly.

Then Mr. Macdonell of York, one of the Messengers named to carry up a message to the Honorable Legislative Council, reported that he had obeyed the commands of the House.

On motion of Mr. Macdonell of York, seconded by Capt. Elliott, the Bill to repeal for a limited time part of an Act passed in the thirty fourth year of His Majesty's Reign entitled "An Act for the Regulation of Juries," passed, and was signed by Mr. Speaker.

Then Mr. Macdonell of York, seconded by Mr. Elliott, moved that Mr. Sheriff Macdonell and Mr. Washburn do carry up the said Bill to the Legislative Council, and request their concurrence thereto.

Ordered accordingly.

Mr. Sheriff Macdonell reported that they had brought up the said Bill to the Honorable the Legislative Council, and did request their concurrence in passing the same.

Then, Read for the first time, a Bill sent down from the Honorable the Legislative Council, for the concurrence of this House, entitled "An Act to declare the rights of certain grantees of Waste lands under the Crown."



Mr. Sheriff Macdonell then moved, seconded by Capt. Elliott, that a Bill entitled "An Act for the more uniform laying of assessments and rates throughout this Province be now read for the first time.

A division thereupon took place, the names were ordered to be taken down, and are as follows.

## YEAS

MESSRS. SH'FF MACDONELL  
ELLIOTT  
MACDONELL (YORK)  
SOLICITOR GENERAL  
ROGERS  
THOMPSON  
McCRAE  
WASHBURN  
NELLES

## NAYS

MESSRS. FERGUSON  
CLENCH

Carried in the affirmative by a majority of seven.

The Bill was then read for the first time.

Then Mr. Sheriff Macdonell moved, seconded by Capt. Elliott, that the said Bill be read a second time on Monday next.

Ordered accordingly.

A written Message from the Honorable Legislative Council, by Mr. Burns, Master in Chancery.

Mr. Speaker:—

The Legislative Council are ready to confer with the House of Assembly on the subject matter of their message in the Legislative Council Chamber.

Legislative Council Chamber

11th February, 1803.

And then withdrew.

Mr. Clench then moved, seconded by Mr. Nelles, that Mr. A. Macdonell of York, Mr. Sheriff Macdonell, Mr. Ferguson, Mr. Rogers and Mr. Washburn be a Committee to confer with the Honorable the Legislative Council respecting a breach of privilege complained of by that Honorable House to have been committed by an Officer of this House (The Serjeant at Arms) as stated in a message yesterday received from them.

Ordered accordingly.

The House then adjourned for half an hour.

The House being met, Mr. Speaker took the Chair.

The Members present were:—

MESSRS. SH'FF MACDONELL  
ELLIOTT  
MACDONELL (YORK)  
ROGERS  
McCRAE  
WASHBURN  
NELLES  
FERGUSON

Then Mr. Speaker adjourned the House for want of a quorum.

*Monday, 12th February, 1803.*

Prayers were read.

Mr. Macdonell of York, with the Managers of the conference on the part of this House, reported as follows.

The Committee appointed to confer with a Committee of the Honorable Legislative Council on the subject of a breach of privilege complained of in a Message from the Legislative Council to the Commons, have the honor of reporting that having met agreeable to order the Joint Committee concurred in the following resolutions.

First. That when either of the Houses of Parliament may have occasion for the attendance of any Member or Officer of the other, application by message shall be made to the House to which such Member or Officer may belong.

Second. That the Serjeant at Arms of the Assembly, having been guilty of a grievous offence in having infringed upon the privileges of the Honorable the Legislative Council, of His own head and wrong, deserves the severest chastisement, but at the request of the Committee of Conference appointed on the part of that Honorable House it is recommended that he be dealt with leniently, and be simply rebuked with severity by the Speaker of the Assembly.

Mr. Sheriff Macdonell then moved, seconded by Mr. Ferguson, That Thomas Ridout, Esquire, Serjeant at Arms, to the Honorable House, be now put to the Bar, and that Mr. Speaker do reprehend and censure him for having been guilty of a violent infraction of the rights and Privileges of the Honorable the Legislative Council by going within the walls of that House and claiming the body of David Burns, Esq., Clerk of the Crown and Pleas, then under his custody by virtue of your Warrant, Sir.

Which was ordered accordingly.

Mr. Speaker then reprimanded the Serjeant at Arms.

Then Mr. Speaker ordered the Serjeant at Arms to resume his station in the House.

Then James Clark, Esquire, Clerk to the Honorable Legislative Council came to the Bar, and handed a sealed paper to the Serjeant at Arms, which the Serjeant at Arms delivered to Mr. Speaker, which Mr. Speaker then read, and is as follows.

Mr. Speaker:—

The Legislative Council beg leave through you to state to the House of Assembly that David Burns, Esquire, a Master in Chancery in waiting on his duty to the Legislative Council, informs the House that he is considered by the Messenger of the House of Assembly as his prisoner.

By Order of the House.

H. Allcock, Speaker.

Then Mr. Macdonell of York moved, seconded by Mr. Ferguson, that Mr. Speaker do inform by letter the Speaker of the Honorable the Legislative Council, that upon their communication of this morning the Assembly immediately ordered David Burns, Esq., to be liberated out of the custody of the Special Messenger of the Commons, and do at the same time signify to the Speaker of the said Honorable Legislative Council the request of the Commons that David Burns, Esquire, one of the Officers of the Legislative Council, be sent down to the Bar of the Commons to undergo an examination touching a gross contempt of the privileges of the Commons, with which, as Clerk of the Crown and Pleas, he stands charged.

Which was enclosed by Mr. Speaker and addressed to the Honorable the Speaker of the Legislative Council, and ordered to be delivered by the Clerk.

Then the Serjeant at Arms, informed the House that the Secretary of the province was attending to be admitted at the Bar of the House.

Mr. Speaker then commanded the Serjeant at Arms to admit him.

At the Bar William Jarvis, Esquire, Secretary of the Province, informed Mr. Speaker that by command of His Excellency the Lieutenant Governor he came there to deliver to this Honorable House an account respecting the Provincial Revenues of this Province.

And then withdrew.

Which Account is as follows. (Appendix No. 2.)

Mr. Ferguson moved, seconded by Mr. Solicitor General, that David Burns, Esquire, Clerk of the Crown and Pleas, be released from the custody of the Special Messenger of the Commons House of Assembly, he appearing to be an Officer of the Honorable the Legislative Council.

Ordered accordingly.

Mr. Speaker then commanded Charles Willcocks, Esquire, the Special Messenger, to liberate David Burns, Esquire, Clerk of the Crown and Pleas, from his custody, in consequence of a resolution of this House.

Mr. Speaker informed the House that in obedience to the commands thereof David Burns, Esquire, had been liberated.

Then Mr. Sheriff Macdonell moved, seconded by Mr. Rogers, That the Bill entitled "An Act for the uniform laying of assessments and rates throughout this Province be read for a second time on Monday next."

Mr. Ferguson, seconded by Mr. Thompson, moved in amendment to expunge the word "Wednesday," and in lieu thereof to insert the word "Monday."

Mr. Speaker having put the question as amended it was carried in the affirmative.

And ordered accordingly.

The House then resolved itself into Committee to take up the further consideration of the Revenue Laws of this Province.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported that they had come to several resolutions thereupon, which he was directed to report to the House whenever they shall be pleased to receive the same.

It was then resolved that the said report be now received.

Which he read in his place, and then handed it to the Clerk at the Table, where it was once more read, and is as follows.

The Committee of the Whole House, whereof John Ferguson, Esquire, was Chairman, having taken into their consideration the Revenue Laws of this Province have made the following resolutions.

First. Resolved, That the present method of collecting the Provincial Revenue is circuitous and inefficient.

Second. Resolved, That more compendious and effectual method of collecting the same be therefore adopted.

Third. Resolved, That in order to ensure to the Province a just and equitable collection of the taxes and duties imposed by the several Provincial Acts, that some person be appointed by the Lieutenant Governor or person administering the Government in each and every District in this Province, whose duty it shall be to



inspect the Revenue and to see that the same is by no means defrauded in any manner, and who shall collect the same and give sufficient security in such manner as shall be considered most efficacious, to pay such moneys as he shall receive from time to time into the hands of His Majesty's Receiver General, as Provincial Treasurer.

Fifth. Resolved, That it is the opinion of this Committee that the person so to be appointed to inspect the Revenue in each District, shall receive a reasonable percentage upon all moneys which may come through their hands.

Sixth. Resolved, That all spirits distilled from grain of any sort shall be dutiable on coming into this Province, wheresoever the same may have been manufactured or distilled, and that spirits over proof, or high wines, be proportionately rated higher, provided, nevertheless, that such duty, with respect to Lower Canada, shall not operate until the conclusion of the present agreement by and between this Province and our sister Province of Lower Canada.

Seventh. Resolved, That a summary and equitable mode of determining questions respecting articles of small value seized as contraband should be established.

Eighth. Resolved, That when any dispute shall arise respecting the legality of any seizure under the value of                      pounds it shall and may be lawful for the collector or any person claiming property in the articles seized to apply to the Court of the District wherein the case shall happen for a writ directed to the Sheriff of such District, commanding him by a Jury of twelve good and lawful men to ascertain the question; upon the finding of which Jury the Sheriff shall forthwith deliver over the property in dispute to the party entitled thereto, and make his return thereof, unto the District Court accordingly.

Ninth. Resolved, That should a seizure be made at any place at the distance of twenty miles to the north east of Sandwich, or at any place to the north west of Matchedash Bay upon Lake Huron, it shall and may be lawful for the collector to name one arbitrator, for the person whose goods shall have been seized to name another, and for the two so named to choose a third; and that the decision of such arbitrators respecting the validity of the seizure shall be as valid as if resort had been had to the verdict of a Jury, a measure perfectly impracticable from the present disjointed state of the settlement in the places alluded to.

Provided, nevertheless, that it shall at all times be lawful for either party to have resort to a Court of Justice, should he prefer such a measure to the award of arbitrators, such option being made before arbitration.

Tenth. Resolved, That all vessels, boats, &c., arriving at any port or place of entry in the daytime shall report within                      hours after their arrival, and that all vessels, boats, &c., arriving during the night shall report at                      o'clock next morning under the penalty of

Eleventh. Resolved, That His Excellency the Lieutenant Governor, or person administering the Government, be authorized to establish the office of the collector of the District of Newcastle in any place within the harbour which may be more convenient than the Town of Newcastle, until a Jail and Courthouse be erected in the said Town, and no longer.

Twelfth. Resolved, That the Receiver General be authorized and required to cause to be printed and sent to each and every collector in the Province a sufficient number of blank entries, upon which all entries are to be made and sworn to by the person making such entries, the said blank entries being first

numbered and marked by the Receiver General, and which when filled up are to be returned to him every quarter with the quarterly accounts, to serve as a check upon the collector, who is to account with the Receiver General for the number he received.

The above resolutions are respectfully submitted to the House.

By Order of the Committee.

(Signed) John Ferguson,

Chairman.

Then Mr. Rogers moved, seconded by Mr. Clench, that a Committee be appointed to draft a Bill for carrying the first, second, third, fourth and fifth resolutions of the Committee of the whole House into effect.

Ordered accordingly.

Mr. Rogers again moved, seconded by Mr. Clench, that Mr. Solicitor General, Mr. Angus Macdonell of York, and Mr. Sheriff Macdonell be a Committee to draft the said Bill.

Which was ordered accordingly.

Mr. Ferguson, seconded by Mr. Clench, moved that a Special Committee be appointed to draft a Bill upon the resolutions of the Committee appointed to revise the revenue laws, commencing at the sixth resolution of that Committee, and continued to the end of the said resolutions.

The House ordered the same.

Mr. Clench, seconded by Mr. Nelles, moved that Mr. Solicitor General, Mr. Sheriff Macdonell, and Mr. Angus Macdonell be a Committee for that purpose.

Ordered accordingly.

Then, on motion of Mr. Macdonell of York, seconded by Mr. Clench, the House adjourned until Monday next.

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*Monday, 14th February, 1803.*

Prayers were read.

Agreeable to the order of the Day was read a second time an Act to declare the rights of certain grantees to the waste lands of the Crown.

On motion of Mr. Sheriff Macdonell, seconded by Mr. Clench, the House resolved itself into Committee to go into consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Nelles was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Nelles reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments which he was desired to report whenever the House would be pleased to receive the same.

Resolved, That the House do now receive the said Report,

Ordered accordingly.

Which amendments are as follows.

Amendments made, adopted and passed by the Committee in a Bill sent down to them by the Honorable the Legislative Council, intituled, "An Act to declare the rights of certain grantees of waste lands of the Crown." Press I.—Second line from the bottom after the words "heirs shall" expunge the word "henceforth," and

in lieu thereof insert the words following, "from and after the day of the date of such grants respectively." Expunge the whole of the last clause.

Which amendments were ordered to be engrossed.

Then Mr. Speaker put the question for the second reading of the assessment Bill, it being a part of the Order of the Day.

A division took place, the names being called for, they were taken down, and are as follows:

## YEAS

## NAYS

MESSRS SHERIFF MACDONELL	MR. CLENCH
SOLICITOR GEN.	
FERGUSON	
ELLIOTT	
ROGERS	
McCRAE	
WASHBURN	
NELLES	
THOMPSON	
MACDONELL (York)	

Carried in the affirmative by a majority of nine for going into the Order of the Day.

The Assessment Bill was then read the second time.

The House then resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Macdonell of York was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell of York, then moved, seconded, by Mr. McCrae, that the engrossed amendments made to the Bill to declare the rights of certain grantees to the waste lands of the Crown be now read.

They were accordingly read, passed, and signed by Mr. Speaker.

Mr. Clench then moved, seconded by Mr. Nelles, that Messrs Ferguson and Elliott be a Committee to carry up this Bill as passed with amendments to the Legislative Council, and to request their concurrence to said amendments.

Ordered accordingly.

Mr. Ferguson, first named to return to the Honorable Legislative Council the Bill sent down by them, entitled "An Act to declare the right of certain grantees to the waste lands of the Crown, reported that they had carried up the same, with the amendments made thereto by this House, to which amendments they require their concurrence.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this Honorable House that they have concurred and passed a Bill entitled "An Act to repeal for a limited time part of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act for the regulation of Juries," and am further



commanded to inform you that the Honorable the Legislative Council have passed a Bill entitled "An Act to enable married women having real estate more conveniently to alien and convey the same, and to confirm and declare valid four several fines heretofore levied, in the Court of King's Bench in this Province" and request the concurrence of this House.

And then withdrew.

On motion of Mr. Solicitor General, seconded by Mr. McCrae,

Read for the first time, the said Bill.

On motion of Mr. Clench, seconded by Mr. Nelles,

Ordered, That the said Bill be read a second time to-morrow.

Agreeable to leave given the House again resolved itself into Committee to take up the further consideration of the Assessment Bill,

Mr. Speaker left the Chair.

Mr. Macdonell of York again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported progress, and asked for leave to sit again.

Leave was accordingly granted.

A written Message from the Honorable the Legislative Council, by Mr. Burns, Master in Chancery, which he read, and is as follows:

Mr. Speaker,

The Legislative Council inform the House of Assembly that however willing they might be to comply with the request of the House of Assembly contained in the message received this day, through their Speaker, the latter part of that message is expressed in such terms as will not permit the Legislative Council to proceed thereon.

By Order of the House.

(Signed) H. ALLCOCK,

Speaker.

Legislative Council Chamber,

Monday, 14th February, 1803.

And then withdrew.

Then, on motion of Captain Elliott, seconded by Mr. McCrae, the House adjourned.

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*Thursday, 15th February 1803.*

Prayers were read.

A written Message from the Honorable Legislative Council, by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am directed by the Honorable the Legislative Council to inform this House that they do request a conference upon the subject of the amendments made by the House of Assembly in a Bill to declare the rights of certain grantees of waste lands of the Crown.

By Order of the House,

(Signed) H. ALLCOCK,

Speaker.

Legislative Council Chamber,

15th February 1803,

And then withdrew.

Mr. Ferguson, seconded by Mr. Clench, moved that this House do resolve not to receive any message of whatsoever nature from the Honorable the Legislative Council by or through David Burns, Esquire, called their Master in Chancery, until the said David Burns, Esquire, do purge himself of the high offence committed by his contempt of the order of this House.

Mr. Sheriff Macdonell moved in amendment, seconded by Mr. Thompson, that after the word "that" in the first line, the whole be expunged, and that in lieu thereof the following words be inserted, "A message be now sent to the Honorable the Legislative Council requesting that David Burns, Esquire, an officer of that Honorable House, be permitted to attend at the Bar of this House, to answer such questions as it may be thought expedient to be put to him by the Commons."

The same passed in the negative.

The main question being then put, the House divided, and the names were taken down, and are as follows:

## YEAS

MESSRS FERGUSON  
MACDONELL (YORK)  
ROGERS  
CLENCH  
THOMPSON

## NAYS

MESSRS SH'FF MACDONELL  
McCRAE  
SOL'R GENERAL  
ELLIOTT  
SWAYZIE  
NELLES  
WASHBURN

Which passed in the negative by a majority of two.

Then Mr. Macdonell of York moved, seconded by Mr. Clench, the following resolution:

The Commons observe with regret the determination of the Legislative Council to screen an individual from the consequences of his demerits, nor can they account for the sudden departure of the Legislative Council from the principle lately established in a conference between the Houses as a permanent rule of conduct; when the attendance of a member, of an Officer belonging to the one House, becomes requisite in the Other. To respect itself is a duty every public body owes to itself, and the Commons are determined, in observance thereof not to suffer their dignity to be insulted by admitting within their walls a person who has outrageously set their authority at defiance; and will not therefore in future receive any communication by or through David Burns, Esquire.

Mr. Solicitor General, seconded by Captain Elliott, moved in amendment that after the word "that" all the motion be expunged, and the words "this House do proceed upon the Order of the Day," be inserted.

The question for the amendment having been put, the House being divided, the Speaker gave his vote to go into the Order of the Day; the names being called for, they were taken down, and are as follows:

## YEAS

MESSRS McCRAE  
SOL'R GENERAL  
ELLIOTT  
WASHBURN  
SWAYZIE  
NELLES

## NAYS

MESSRS SH'FF MACDONELL  
FERGUSON  
ROGERS  
MACDONELL (YORK)  
CLENCH  
THOMPSON

Carried in the affirmative, and ordered accordingly.

Mr. Swayzie then gave notice that he will on to-morrow bring up two petitions from the Inhabitants of the District of London.

Mr. Washburn, seconded by Mr. Clench, moved for leave of absence from this House during the remainder of the Session.

Which passed in the negative.

Mr. Sheriff Macdonell then moved, seconded by Mr. Solicitor General, that the Solicitor General, Messrs. Angus Macdonell of York, Ferguson, Nelles, and McCrae, be a Committee to confer with the Honorable the Legislative Council upon the subject matter of the amendments made by the Commons House of Assembly upon a Bill entitled "An Act to declare the rights of certain grantees of waste lands of the Crown."

Ordered accordingly.

Mr. Sheriff Macdonell again moved, seconded by Mr. Solicitor General, that a Committee be appointed to inform the Honorable the Legislative Council that agreeable to their message of this date a Committee has been named to confer with a Committee of their Honorable House, upon the adjournment of the Legislative Council tomorrow, upon the subject of the amendments made to a Bill entitled "An Act to declare the rights of certain grantees of waste lands of the Crown," and that Mr. Macdonell of York and Mr. Ferguson be a Committee for that purpose.

Which was ordered accordingly.

Agreeable to the Order of the Day the House resolved itself into Committee on the Assessment Bill.

Mr. Speaker left the Chair.

Mr. Macdonell of York took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell of York reported a progress, and asked leave to sit again.

Leave was granted.

On motion of Mr. Sheriff Macdonell, seconded by Mr. Solicitor General, the House adjourned.

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*Wednesday, 16th February 1803.*

Prayers were read.

Mr. Macdonell of York moved, seconded by Mr. Clench, that the Legislative Council be this day informed by message that this House is desirous, before it proceeds to measures of extremity against David Burns, Esquire, to canvass in a joint Committee of conference, to be chosen by the Houses respectively, the question of mutual privileges, in so far as the same may be implicated on the occasion, and that this House, unwilling ever to be driven into any altercation with a sister branch of the Legislature, other than a content of courtesy and reciprocal respect, is also desirous that it may be signified to the Legislative Council at the same time that it would not be seemly in the Commons to receive any message or communication by or through the channel of David Burns, Esquire, until the issue of such conference shall have determined the course proper in future to be observed.

Then Mr. Solicitor General, seconded by Mr. Swayzie, moved as an amendment that after the word "that" the words "this House do now proceed upon the Order of the Day."

The same was carried in the affirmative and Ordered accordingly.



Messrs Macdonell of York, and Ferguson reported that according to order they had been to the Legislative Council, wherein they delivered a message in the words following:

Mr. Speaker,

We are directed by the Commons to inform your Honorable House that they have appointed a Committee to manage on their part a conference upon the subject of their amendments in and to the Bill entitled "An Act to declare the rights of certain grantees of the waste lands of the Crown," and that their managers will attend upon your Committee immediately after the adjournment of Your Honorable House this Day.

The House then resolved itself into Committee to take up the further consideration of the Assessment Bill.

Mr. Speaker left the Chair.

Mr. Macdonell of York took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported progress, and asked for leave to sit again.

Leave was accordingly granted.

A Message from the Honorable the Legislative Council, by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this House that they have passed an Act to repeal part of an Act passed in the thirty seventh year of His present Majesty, entitled "An Act for regulating the practice of the Court of King's Bench," to which they request the concurrence of the House of Assembly.

And then withdrew.

The said Bill was read for the first time.

And on motion of Mr. Clench, seconded by Mr. Swayzie,

Ordered, That the said Bill be read a second time on Saturday next.

The Managers reported that having met in conference the managers on the part of the Honorable the Legislative Council on the subjects of the amendments made by the Commons in and to the Bill to declare the rights of certain grantees of the waste lands of the Crown, "it had been unanimously agreed in the said conference that the first amendment should stand a part of the said Bill and that the second amendment should be withdrawn, and the last clause in the said Bill allowed to remain as it originally stood on coming down from the Honorable the Legislative Council.

The House again resolved itself into Committee on the Assessment Bill.

Mr. Speaker left the Chair.

Mr. Macdonell of York was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported progress, and asked for leave to sit again.

Leave was accordingly given.

On motion of Mr. Solicitor General, seconded by Mr. McCrae, the House adjourned.

*Thursday, 17th February, 1803.*

Prayers were read.

Mr. Sheriff Macdonell moved, seconded by Captain Elliott, for leave to bring up on tomorrow the Petition of Joseph Ryerson, Esquire, Sheriff of the District of London.

Leave was accordingly granted.

On motion of Mr. Sheriff Macdonell, seconded by Mr. Solicitor General, the House resolved itself into Committee to go into the further consideration of the Assessment Bill.

Mr. Speaker left the Chair.

Mr. Macdonell of York was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported progress, and asked leave to sit again.

Leave was then given.

Mr. Macdonell of York moved, seconded by Mr. Rogers, that Messrs. Ferguson and Rogers be sent with a message to the Honorable the Legislative Council, informing them that this House has accepted the report of their managers in the conference of yesterday, and does agree to withdraw the last amendment made in this House in and to the Bill entitled "An Act to declare the rights of certain grantees of the waste lands of the Crown."

Ordered accordingly.

Mr. Clench, seconded by Mr. Elliott, moved for leave to bring in tomorrow a Bill to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province, to license William Dickson, Esquire, to practice the Law in this Province, and to authorize the said William Dickson and other Attornies to take such number of Clerks as therein mentioned.

Leave was accordingly granted.

Mr. Washburn moved, seconded by Mr. Clench, for leave to bring in to-morrow a Bill to extend the Provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep, and swine to run at large."

Leave was granted.

Messrs Ferguson and Rogers informed that agreeable to the Order of this House they went up to the Honorable the Legislative Council wherein they delivered the following message.

Mr. Speaker,

We are directed by the House of Assembly to inform the Honorable the Legislative Council that they have concurred in the report of their managers in the conference of yesterday with the Honorable Richard Cartwright and Robert Hamilton, Esquire, two members of your Honorable House, and that they agree to withdraw the last amendment made in this House in and to the Bill entitled "An Act to declare the rights of certain grantees of the waste lands of the Crown."

Commons House of Assembly,

17th February 1803.

Mr. Macdonell of York, seconded by Mr. Clench, moved for leave to bring in on tomorrow a Bill to compel persons holding in fee or occupation lands abutting on the highway called Young Street, to put and keep in repair the moiety of the said highway immediately touching their lands.

Leave was accordingly granted.

Read for the second time, An Act to enable married women having real estate to alien the same.

The House then resolved into Committee to take up the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. McCrae was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McCrae reported progress, and asked leave to sit again.

Leave was granted.

On motion of Mr. Washburn, seconded by Mr. Macdonell of York, the House adjourned.

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*Friday, 18th February 1803.*

Prayers were read.

Read, the Petition of the Six Nations of Indians, which is as follows.

To the Honorable the Commons of Upper Canada in  
Parliament assembled.

The Petition of the Six Nations of Indians, settled upon and along the River  
Ouze or Grand River,

Humbly Sheweth,

That Your Petitioners are proprietors in common of an extensive tract  
of land in this Province, and hold a mortgage interest also, in and out of certain  
extensive parcels of land which they have heretofore aliened therein.

That Your Petitioners find His Majesty's Bounty unavailing to them under  
existing circumstances, because,

1. They are restrained from granting leasehold estates by the nature of their  
tenure.

2. They are under the like inability from the same cause to effect partitions.

3. They cannot compel the payment of moneys accruing to their use, nor  
direct the application thereof to the relief of their wants.

4. They cannot enable persons who are in arrear to them for principal or in-  
terest reserved to them by mortgage to answer their engagements, by putting them  
in a capacity to subdivide their several acquisitions, and extinguish partially the  
mortgage liens thereon.

All which is submitted to the tender consideration of Your Honorable body,  
and relief implored.

(Signed) Jos. Brant,  
Agent.

Grand River, 1st January 1803.

The House then resolved itself into Committee to go into the consideration  
of the said Petition.

Mr. Speaker left the Chair.

Mr. Swayzie reported a progress, and was directed to ask leave to sit again  
on Monday next.

Leave was accordingly granted.



Then read the Petition of Peter Hogeboom, Esq. which is as follows.

To the Honorable the Commons of Upper Canada  
in Parliament assembled.

The Petition of Peter Hogeboom

Humbly Sheweth,

That Your Petitioner has become the proprietor of a large Tract of land upon and along the River Ouze, or Grand River, in the West Riding of the County of York, and Home District, commonly called Block number one, and containing upwards of ninety thousand acres.

That Your Petitioner derives his title from the person who purchased immediately from the late Philip Stedman, deceased, to whom His Majesty's Letters Patent of Grant of and for the said Tract or parcel of land were made out, but who neglected to ask and receive the same in his lifetime from the Secretary of the Province.

That Your Petitioner having laid out and expended large sums of money in and about his purchase aforesaid finds himself under serious difficulties from the circumstances of his case, and being ready to secure to the Indians the moneys reserved to them out of the sale of the said Tract or parcel of land, in manner and from which may be required of him, and being also ready to meet in any Court of Law or Justice any claim which may be set up by the Heirs of the said Philip Stedman, or by any other person or persons whosoever,—he humbly implores relief of Parliament in the premises by such declaratory Act concerning the issuing of His Majesty's Letters Patent Nunc Pro Tunc, as in your wisdom may seem meet, and as in duty bound he will pray.

(Signed) Peter Hogeboom.

York, 10th Sept'r, 1802.

Then Mr. Rogers moved, seconded by Mr. Macdonell of York, That the Petition of Peter Hogeboom, Esq., be referred to a Committee of the Whole House now in Committee on the Petition of the Six Nations.

Read for the first time, A Bill to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province, to license William Dickson, Esq., to practise the law in this Province.

Ordered, That the said Bill be read a second time to-morrow.

Read for the first time, An Act to extend the provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large."

Ordered, That the said Bill be read a second time to-morrow.

Then Mr. Washburn moved, seconded by Mr. Rogers, for leave to bring in a Bill this day ~~that~~ stood on the Order of the day for Tuesday the 8th instant,—To extend the Jurisdiction of the Courts of Request within the Province.

Ordered accordingly.

Read for the first time, A Bill to extend the Jurisdiction of the Courts of Requests.

Mr. Clench then moved, seconded by Capt. Elliott, That this Bill be read a second time this day three months.

A division ensued, the names being called for by Mr. Clench, they were taken down, and are as follows.

## YEAS

MESSRS ELLIOTT  
FERGUSON  
CLENCH

## NAYS

MESSRS SH'FF MACDONELL  
SOLICITOR GEN.  
THOMPSON  
WASHBURN  
MACDONELL (YORK)  
McCRAE  
ROGERS  
NELLES

The same passed in the negative by a majority of five.

Mr. Thompson then moved, seconded by Mr. Rogers, That the Court of Request Bill be read a second time on Monday next.

Ordered accordingly.

Read for the first time, A Bill for amending the Yonge Street Road.

Then, on motion of Mr. Macdonell of York, seconded by Mr. Clench,

Ordered, That the said Bill be read a second time to-morrow.

The House then resolved itself into Committee to go into the further consideration of the Bill for laying Assessments throughout this Province.

Mr. Speaker left the Chair.

Mr. Macdonell of York was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported that the Committee had gone through the consideration of the said Bill, they had made some amendments, which he was desired to report whenever the House should be pleased to receive the same.

Then Mr. Clench moved, seconded by Mr. Swayzie, That this Report be not accepted.

A division thereupon took place, the names were called for and were ordered to be taken down, and are as follows.

## YEAS

MESSRS SOLICITOR GEN.  
FERGUSON  
SWAYZIE  
CLENCH

## NAYS

MESSRS WASHBURN  
SH'FF MACDONELL  
ELLIOTT  
McCRAE  
MACDONELL (York)  
ROGERS  
THOMPSON  
NELLES

The same passed in the negative by a majority of four.

Then, Mr. Speaker having put the question, Shall the Report be now received,

A Division thereupon again took place, the names were called for by Mr. Clench, they were taken down, and are as follows.

## YEAS

MESSRS WASHBURN  
 SH'FF MACDONELL  
 ELLIOTT  
 McCRAE  
 MACDONELL (YORK)  
 ROGERS  
 THOMPSON  
 NELLES

## NAYS

MESSRS SOLICITOR GENERAL  
 FERGUSON  
 SWAYZIE  
 CLENCH

The same was carried in the affirmative by a majority of four.

And the Report was then received and accepted.

Then Mr. Macdonell of York moved, seconded by Mr. McCrae, That the said Bill be engrossed and read a third time on Wednesday next.

Mr. Clench, seconded by Mr. Swayzie, moved in amendment to expunge all the words after the word "engrossed," and to insert in lieu thereof "and read a third time this day three months."

A division ensued, the names being called for by Mr. Clench they were taken down, and are as follows.

## YEAS

MESSRS SOLICITOR GEN.  
 FERGUSON  
 SWAYZIE  
 CLENCH

## NAYS

MESSRS WASHBURN  
 SH'FF MACDONELL  
 ELLIOTT  
 McCRAE  
 MACDONELL (York)  
 ROGERS  
 THOMPSON  
 NELLES

The amendment passed in the negative by a majority of four.

Then the main question was put, and the names being called for by Mr. Clench, they were taken down, and are as follows.

## YEAS

MESSRS WASHBURN  
 SH'FF MACDONELL  
 ELLIOTT  
 McCRAE  
 MACDONELL (York)  
 ROGERS  
 THOMPSON  
 NELLES

## NAYS

MESSRS SOLICITOR GENERAL  
 FERGUSON  
 SWAYZIE  
 CLENCH

Carried in the affirmative by a majority of four, and ordered accordingly.

The House then resolved itself into Committee to go into the further consideration of an Act to enable married women having Real Estate more conveniently to alien and convey the same.

Mr. Speaker left the Chair.



Mr. McCrae was called to the Chair of the Committee and did there inform the Speaker that the Committee was not competent to go into the further consideration of the said Bill, for want of a quorum.

Mr. Speaker resumed the Chair, the names of the members present were taken down, and are as follows.

MESSRS SOLICITOR GENERAL  
FERGUSON  
SWAYZIE  
SH'FF MACDONELL  
McCRAE  
MACDONELL (York)  
ROGERS  
THOMPSON  
NELLES

Mr. Speaker then adjourned the House for want of a Quorum.

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*Saturday, 19th February, 1803.*

Prayers were read.

Read for the second time, a Bill regulating the practice of the Court of King's Bench in this Province.

The House then resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Clench took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Clench reported that it was the opinion of the Committee that the further consideration of the Bill for regulating the practice in the Court of King's Bench be postponed for three months.

Mr. Macdonell of York then moved, seconded by Mr. Sheriff Macdonell, That the Report of the Committee be not accepted, and in lieu thereof that it be ordered that the said Bill be engrossed and read a third time to-morrow.

A division thereupon took place, the names being called for by Mr. Sheriff Macdonell they were taken down, and are as follows.

YEAS

MESSRS SH'FF MACDONELL  
MACDONELL (York)

NAYS

MESSRS SOLICITOR GEN.  
THOMPSON  
McCRAE  
ROGERS  
NELLES  
SWAYZIE  
CLENCH  
WASHBURN

The same passed in the negative by a majority of eight.

And the further reading of the said Bill was accordingly postponed for three months.

Then read a second time, A Bill to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province to license William Dickson, Esquire, to practice the law in this Province, and to authorize the said William Dickson, Esquire, and other Attornies, to take such number of Clerks as therein mentioned.

On motion of Mr. Clench, seconded by Mr. Nelles, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sheriff Macdonell reported a progress, and asked leave to sit again this day.

Leave was accordingly granted.

A Message from the Honorable the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this Honorable House that they have passed an Act to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province to license Practitioners in the Law, and request your concurrence therein.

And then withdrew.

Which Bill was then read for the first time.

Then Mr. Sheriff Macdonell moved, seconded by Capt. Elliott, that this Bill be read for the second time on Monday next.

Ordered accordingly.

The House again resolved itself into Committee to go into the consideration of a Bill to authorize the Governor, the Lieutenant Governor or person administering the Government, to license William Dickson, Esquire, to practice the Law in this Province.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell reported that the Committee had gone through the consideration of the said Bill without any amendment, which he was directed to report whenever the House would be pleased to receive the same.

The House then resolved that the said Report be now received.

Then, on motion of Mr. Clench, seconded by Mr. Swayzie,

Ordered, That the said Bill be engrossed and read a third time this day.

Ordered accordingly.

Then Mr. Rogers moved, seconded by Capt. Elliott, That the Order of the Day for the second reading of the Bill entitled "An Act to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province to license Practitioners in the Law" on Monday, be discharged, and that the said Bill be read a second time this day.

The same was ordered accordingly.

Then was read for the third time, The Engrossed Bill authorizing the Governor, the Lieutenant Governor, or person administering the Government, to license William Dickson, Esquire, to practice the law in this Province, and to authorize the said William Dickson and other Attornies to take such number of Clerks as therein mentioned.

Which passed and was signed by Mr. Speaker,

Mr. Swayzie then moved, seconded by Mr. Washburn, that Mr. Clench and Mr. Nelles do carry up this Bill to the Legislative Council and request their concurrence thereto.

Ordered accordingly.

Then was read for the second time An Act to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province to license Practitioners in the Law.

On motion of Mr. Rogers, seconded by Mr. Swayzie, the House resolved itself into Committee to take up the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Solicitor General was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Solicitor reported that they had gone through the consideration of the said Bill, to which they had made an amendment, which he was directed to report to the House whenever it shall be pleased to receive the same.

It was then resolved that the said report be now received.

Which Report is as follows.

That in the sixteenth line of the first Press expunge the word "four" and in lieu thereof insert the word "six."

Then Mr. Rogers moved, seconded by Mr. Thompson, that the amendment be engrossed, and the Bill be now read a third time.

Mr. Sheriff Macdonell, seconded by Capt. Elliott, moved in amendment that after the word "be" in the second line, the whole of the sentence be expunged, and that in lieu thereof the following words be inserted, "Read for the third time on Monday next."

Which passed in the negative.

Then the main question was put and carried in the affirmative.

And ordered accordingly.

Then Mr. Ferguson moved, seconded by Mr. Thompson, that in case of Members absenting themselves or seceding from their seats in the House Mr. Speaker have resort to the customs and usages of the Commons of Great Britain to compel their attendance.

Then Mr. Solicitor General moved, in amendment, seconded by Capt. Elliott, to expunge the whole motion after the word "Speaker," and in lieu thereof to insert "I move that this House do proceed on the Order of the Day."

Carried in the affirmative, and ordered accordingly.

Then was read the third time the engrossed Bill as amended, entitled "An Act to authorize the Governor, the Lieutenant Governor, or person administering the Government of this Province, to license Practitioners in the Law."

Then Mr. Speaker put the question, Shall the Bill as now amended pass?

A division thereupon took place, the names were ordered to be taken down, and are as follows.



## YEAS

## NAYS

MESSRS ELLIOTT

MESSRS CLENCH

SOLICITOR GENERAL

SH'FF MACDONELL

FERGUSON

MACDONELL (York)

ROGERS

McCRAE

THOMPSON

SWAYZIE

WASHBURN

NELLES

Carried in the affirmative by a majority of eight.

The Bill accordingly passed and was signed by Mr. Speaker.

Then Mr. Rogers moved, seconded by Mr. Nelles, that Mr. Ferguson and Mr. Washburn do carry up this Bill to the Honorable the Legislative Council, and inform them that this House have concurred in passing the same with an amendment, to which they request their concurrence.

Ordered accordingly.

Then was read for the second time, an Act to extend the Provisions of an Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large.

Then on motion of Mr. Clench, seconded by Mr. Sheriff Macdonell, the House resolved itself into a Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Macdonell of York was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell of York reported that the Committee had gone through the consideration of the said Bill without any amendment.

Which Report was unanimously accepted.

Then, on motion of Mr. Clench, seconded by Mr. Sheriff Macdonell,

Ordered, That the said Bill be engrossed and read a third time on Monday next.

The House resolved itself again into Committee to go into the further consideration of An Act to enable married women having Real Estate more conveniently to alien and convey the same.

Mr. Speaker left the Chair.

Mr. McCrae was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McCrae reported that the Committee has made a progress and had directed him to ask for leave to sit again.

Leave was accordingly granted.

Then, on motion of Mr. Washburn, seconded by Mr. Clench, the House adjourned.

*Monday, 21st February, 1803.*

Prayers were read.

Read for the third time the engrossed Bill entitled "An Act to extend the provisions of an Act passed in the thirty fourth year of His Majesty's Reign entitled 'An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large.'"

The same passed, and was signed by Mr. Speaker.

Mr. Ferguson then moved, seconded by Mr. Rogers, That Mr. Washburn and Mr. Clench be the Messengers to take up this Bill to the Legislative Council and request their concurrence thereto.

Ordered accordingly.

Read the second time, An Act to extend the Jurisdiction of the Court of Requests within this Province.

Mr. Rogers then moved, seconded by Capt. Nelles, That this House do now resolve itself into a Committee to take into their consideration the Bill to extend the Jurisdiction of the Court of Requests.

The House accordingly resolved itself into a Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported that he was directed to inform the House that the Committee recommend that the further consideration of the said Bill should be postponed for three months.

Mr. Speaker having put the question, Shall this Report be now received, Mr. Macdonell of York, seconded by Mr. Nelles, moved that the Report be not accepted, and that the said Bill do stand committed for to-morrow.

#### YEAS

MESSRS. NELLES  
MACDONELL (YORK)  
ROGERS  
SOLICITOR GEN.  
WASHBURN

#### NAYS

MESSRS SH'FF MACDONELL  
ELLIOTT  
FERGUSON  
SWAYZIE  
CLENCH  
McCRAE

The same was passed in the negative by a majority of one.

Then the said Bill was ordered to be read this day three months.

Then Messrs. Ferguson and Washburn reported that they had carried up to the Honorable Legislative Council a Bill entitled "An Act to authorize the Governor, Lieut. Governor, or person administering the Government of this Province, to license Practitioners in the Law, and did request their concurrence thereto.

Agreeable to the Order of the Day the House resolved itself into Committee to go into the further consideration of a Bill entitled "An Act to enable married women having Real Estate more readily to alien and convey the same."

Mr. Speaker left the Chair.

Mr. McCrae was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McCrae reported that the Committee had gone through the consideration of the said Bill to which they had made some amendments, which he was directed to report whenever the House should be pleased to receive the same.

Resolved that the said Report be now received.

Then the Report was received and accepted accordingly.

Then, Mr. Macdonell of York moved, seconded by Mr. Clench, That the amendments made in and to the said Bill be engrossed and read a third time tomorrow.

Ordered accordingly.

Then was read a second time, An Act to compel transient and itinerant persons to satisfy small debts.

On motion of Mr. Clench, seconded by Mr. Macdonell of York, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Washburn was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported a progress and requested leave to sit again this day. Leave was accordingly granted.

A Written Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Which was read by Mr. Speaker, and is as follows.

Mr. Speaker,

I am directed by the Legislative Council to inform this House that they have concurred with this House in the amendments made by them in and to the Bill to authorize the Governor, the Lieutenant Governor or person administering the Government of this Province, to license Practitioners in the Law.

By Order of the House,

H. Allcock, Speaker.

Legislative Council Chamber,

21st. February 1803.

Messrs. Washburn and Clench reported that they had carried up to the Legislative Council the Bill entitled "An Act to extend the provisions of an Act passed in the thirty-fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large," and request their concurrence.

Then Messrs. Clench and Nelles reported that they had carried up to the Honorable Legislative Council the Bill entitled "An Act to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province, to license William Dickson, Esquire, to practice the Law in this Province, and to authorize the said William Dickson and other Attornies to take such numbers of Clerks as therein mentioned," and request their concurrence.

The House again resolved itself into Committee to go into further consideration of the Bill to compel transient and itinerant persons to satisfy small debts.

Mr. Speaker left the Chair.

Mr. Washburn again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported progress and asked leave to sit again.

Leave was accordingly granted.



Mr. Macdonell of York moved, seconded by Mr. Rogers, for leave to bring up the Petition on behalf of four several persons interested in the confirming and declaring valid four several fines levied or intended to have been levied in the Court of King's Bench in this Province.

Leave was accordingly granted.

Mr. Ferguson moved, seconded by Capt. Elliott, that so much of the Order of the Day as related to the Petition of the Six Nations of Indians lay over until the next Session of Parliament.

Mr. Macdonell of York, seconded by Mr. Clench, moved for leave to bring up the Petition of the Inhabitants of the Town of Ancaster.

Leave was accordingly given, and the Petition was ordered to lie upon the Table.

Agreeable to the Order of the Day the House resolved itself into Committee to go into the consideration of the Petition of Peter Hogeboom Esquire.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported that the Committee had directed him to report that the further consideration of the said petition be postponed for three months.

Which Report was accepted, and ordered accordingly.

On motion of Mr. Macdonell of York, seconded by Mr. Clench, the House ordered that the Bill for amending the Yonge Street do lie on the Table until next Session of Parliament.

Then was read the Petition of Joseph Ryerson, Esquire, Sheriff of the London District, which is as follows.

To the Honorable the Commons of Upper Canada  
in Parliament assembled.

The Petition of Joseph Ryerson, Sheriff of the London District,  
Humbly Sheweth,

That Your Petitioner has for upwards of three years served the Office of Sheriff in this District of London without any salary.

That the infant state of that District, the straggling and unconnected condition of the settlements, and the expenses and disbursements of various descriptions borne by Your Petitioner to prevent the administration of justice ceasing have much affected his private circumstances, his circumstances having been such as to have induced him to convert his own house into a goal for the benefit of the Public.

That Your Petitioner, having no other prospect of remuneration than through your Bounty, humbly prays that his case may be considered, and some compensation ordered by Your Honorable House. And Your Petitioner as in duty bound will ever pray.

(Signed) Joseph Ryerson  
Sheriff of the District  
of London.

Mr. Sheriff Macdonell then moved, seconded by Mr. Angus Macdonell of York, That this House do now resolve itself into Committee to take the prayer of the said Petition into consideration.

The House accordingly resolved itself into Committee to go into the consideration of the prayer of the said Petition.

Mr. Speaker left the Chair.

Mr. Nelles was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Nelles reported that it was the opinion of the Committee that the further consideration of the said Petition be postponed for three months.

Which Report was accepted, and ordered accordingly.

Then, on motion of Mr. Sheriff Macdonell, seconded by Mr. Solicitor General, the House adjourned.

*Tuesday, 22nd February 1803.*

Prayers were read.

Mr. Swayzie moved, seconded by Mr. Nelles, for leave to bring in a Bill on to-morrow for laying a duty on all Billiard Tables in this Province.

On the question being put a division thereupon took place; the names being called for by Mr. Clench they were taken down, and are as follows.

YEAS

NAYS

MESSRS SH'FF MACDONELL MR. CLENCH

McCRAE

ELLIOTT

MACDONELL (York)

NELLES

SWAYZIE

WASHBURN

SOLICITOR GENERAL

Carried in the affirmative by a majority of seven.

Leave was accordingly given.

Mr. Macdonell of York, seconded by Mr. Ferguson, moved for leave to bring in to-morrow a Bill to authorize for a limited time the Justices of His Majesty's Courts of His Bench to establish, regulate and diminish from time to time the Fees to be taken by the Practitioners and Officers of the several Courts of Justice within this Province.

A division then took place, the names were ordered to be taken down, and are as follows.

YEAS

NAYS

MESSRS SH'FF MACDONELL MESSRS ELLIOTT

McCRAE

ROGERS

MACDONELL (York)

NELLES

FERGUSON

SWAYZIE

WASHBURN

CLENCH

SOLICITOR GENERAL.

Carried in the affirmative by a majority of one.

Leave was accordingly granted.

Mr. Macdonell of York, seconded by Mr. Washburn, moved that the House do now resolve itself into Committee to take into consideration the most effectual means of advancing the culture, dressing and exportation of the future great staple of this Province, Hemp.

Mr. Solicitor General moved an amendment, seconded by Mr. Nelles, that after the word "the" in the fourth line of the motion made by Mr. Macdonell the following words be inserted, "Public Accounts."

Carried in the affirmative, and accordingly the House resolved itself into Committee on the Provincial Public Accounts.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported progress and asked leave to sit again.

Leave was accordingly granted.

Agreeable to the Order of the Day was read a third time the engrossed amendments made to the Bill entitled "An Act to enable married women having Real Estate more conveniently to alien and convey the same," and to confirm and declare valid four several fines, heretofore levied, or intended to have been levied, in the Court of King's Bench in this Province.

Which passed and was signed by Mr. Speaker.

Mr. Nelles moved, seconded by Mr. McCrae, that Mr. Sheriff Macdonell and Capt. Elliott do return to the Legislative Council the said Bill as amended, and request their concurrence to the said amendments.

Ordered accordingly.

Read for the second time, An Act to amend the Laws.

Mr. Ferguson moved, seconded by Mr. Rogers, that the further consideration of the said Bill be postponed for three months.

A division took place, the names being called by Mr. Washburn, they were taken down, and are as follows.

#### YEAS

MESSRS FERGUSON

ROGERS

SOLICITOR GENERAL

SWAYZIE

NELLES

#### NAYS

MESSRS SH'FF MACDONELL

ELLIOTT

WASHBURN

MACDONELL (York)

CLENCH

McCRAE

Carried in the negative by a majority of one.

Messrs. Sheriff Macdonell and Elliott informed the House that they had, agreeable to the order of this House, returned and brought to the Honorable Legislative Council, as amended by this House, the Bill entitled "An Act to enable married women having Real Estate more conveniently to alien and convey the same," and to confirm and to declare valid four several fines, heretofore levied or intended to be levied in the Court of King's Bench in this Province, to which amendments they requested their concurrence.



Then, the names of the Members present were taken down, and are as follows.

Mr. Speaker,

MESSRS SOLICITOR GEN.  
SH'FF MACDONELL  
MACDONELL (York)  
SWAYZIE  
CLENCH  
McCRAE  
NELLES  
ROGERS  
WASHBURN

Mr. Speaker then adjourned the House for want of a quorum.

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*Wednesday, 23rd February 1803.*

Prayers were read.

Mr. Macdonell of York moved, seconded by Capt. Elliott, That so much of the Order of the day as respects the third reading of the Bill for the more uniform laying of Assessments throughout this Province be dispensed with, and that the House do now resolve itself into Committee to go into the further consideration of the said Bill.

The House then resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Macdonell of York was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported a progress and asked for leave to sit again this day. Leave was accordingly granted.

A Written Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am directed by the Honorable Legislative Council to inform this House that they do request a conference with the House of Assembly upon the subject of the amendments by them made, in and to a Bill to enable a married woman having Real Estate more conveniently to alien and convey the same and to confirm and declare valid four several fines heretofore levied or intended to be levied in the Court of King's Bench in this Province.

By order of the House.

H. Allcock  
Speaker.

Legislative Council Chamber,  
22nd February 1803.

And then withdrew.

Mr. Clench moved, seconded by Mr. Washburn, that Angus Macdonell of York, Isaac Swayzie, E. Washburn and Robert Nelles be a Committee to confer with the Committee of Conference of the Legislative Council on the amendments to a Bill entitled "An Act to enable married women having Real Estate the more easily to alienate the same."

Mr. Ferguson then moved in amendment, seconded by Mr. Thompson, to add to the Committee of Conference Mr. Solicitor General and Sheriff Macdonell.

Ordered accordingly.

Mr. Washburn, seconded by Mr. Thompson, moved that Messrs Ferguson and Rogers be a committee to carry up an answer to the message received from the Legislative Council respecting a conference on the amendment of an Act to enable married women the more easily to alienate their Real Estate.

Which was ordered accordingly.

Read, The Bill returned as amended by the Honorable Legislative Council, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and swine from running at large."

Mr. Speaker having put the question, Shall this Bill now pass as amended, It was carried in the negative.

Mr. Sheriff Macdonell then moved, seconded by Mr. Nelles, that this Bill as amended be read for the second time to-morrow.

Ordered accordingly.

The House again resolved itself into Committee on the Assessment Bill.

Mr. Speaker left the Chair.

Mr. Macdonell of York again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell of York reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which amendments he was directed to report to the House whenever they should be pleased to receive the same.

Then Mr. Clench, seconded by Mr. Ferguson, moved that the said report be not accepted.

A division ensued, and the names were taken down, and are as follows:

#### YEAS

MESSRS FERGUSON  
ROGERS  
SWAYZIE  
CLENCH

#### NAYS

MESSRS SH'FF MACDONELL  
ELLIOTT  
SOL'R GENERAL  
MACDONELL (York)  
McCRAE  
THOMPSON  
WASHBURN  
NELLES

Passed in the negative by a majority of four; then the Report was accordingly received and accepted.

The said Bill as amended was ordered to be engrossed and read a third time to-morrow.

Messrs. Rogers and Ferguson reported that in obedience to the order of this House they had in the Legislative Council Chamber informed that Honorable House that this House has appointed managers on their part to confer with those on the part of the Legislative Council on the subject of the amendments made to a Bill entitled "An Act to enable married women having Real Estate more conveniently to alien and convey the same."

The Messengers appointed to confer with the Committee of Conference of the Honorable Legislative Council reported that the Committee appointed to meet

a Committee of Conference of the Legislative Council upon the Bill, have, upon deliberation, agreed that the amendment limiting the duration of the said Bill should be withdrawn.

Mr. Macdonell of York, seconded by Mr. Clench, moved that this House do not concur with the Committee in withdrawing the amendment.

Which passed in the negative.

Mr. Washburn, seconded by Captain Elliott, moved for leave on to-morrow to bring in a Bill for the payment of wages to the Members of the House of Assembly.

Leave was accordingly granted.

The Committee appointed to draft a Bill for the better securing to His Majesty, His Heirs and successors, the due collection and receipt of certain duties, reported that they had drafted a Bill for the above purpose, which they were ready to submit to the House whenever they shall be pleased to receive the same.

The House then resolved That the said draft of a Bill be now received,—which was delivered in at the Table.

And the said Bill was then read by the Clerk for the first time.

Then, on motion of Capt. Elliott, seconded by Mr. Ferguson, the said Bill was ordered to be read a second time to-morrow.

Read for the first time, The Bill entitled “An Act to amend an Act passed in the forty first year of His Majesty’s Reign, for granting to His Majesty the like duties on goods brought into this Province from the United States as are now brought from Great Britain and other places.”

Which Bill was ordered to be read a second time to-morrow.

The House then resolved itself into Committee on the Bill to amend the Laws.

Mr. Speaker left the Chair.

Mr. Nelles was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Nelles reported progress and asked leave to sit again to-morrow.

Mr. Rogers then moved in amendment, seconded by Mr. Ferguson, that the Committee have leave to sit again this day three months.

A division thereupon took place, the names being called for they were taken down, and are as follows.

#### YEAS

MESSRS ROGERS  
FERGUSON

#### NAYS

MESSRS SH’FF MACDONELL  
ELLIOTT  
MACDONELL (York)  
McCRAE  
WASHBURN  
SWAYZIE  
NELLES  
CLENCH  
THOMPSON

The same passed in the negative by a majority of seven.

Leave was accordingly granted.

Mr. Swayzie moved, seconded by Mr. Nelles, that so much of the Order of this Day for the first reading of a Bill for laying duties on Billiard Tables be considered as a part of the Order for to-morrow.

Ordered accordingly.

On motion of Mr. Sheriff Macdonell, seconded by Mr. McCrae, the House adjourned.



*Thursday, 24th February 1803.*

Prayers were read.

Mr. Clench moved, seconded by Mr. Rogers, that the following make an additional clause to the Bill entitled "An Act for the more uniform laying of Assessments and Rates in this Province."

And be it further enacted by the authority aforesaid, that it shall and may be lawful to and for each and every Member of the Commons House of Assembly, willing to receive some compensation for their reasonable expenses during their attendance in Parliament, to ask, demand and receive a certificate from the Speaker of the Assembly after every prorogation thereof, or from the Clerk after every dissolution, ascertaining the number of days which such Member shall have been attendant upon his Public duties as aforesaid, and necessarily absent from his usual place of residence in travelling to and returning from any Session thereof, upon the presenting of any which certificate to the General Quarter Sessions of the Peace, in and for the District represented wholly or in part by such Member, or in the absence of such Chairman, to the Senior Justice then upon the Bench of such General Quarter Sessions the said Chairman or senior Justice as the case may be shall issue a Warrant directed to the Treasurer of the District, thereby authorizing and requiring such Treasurer to pay to such Member, or his Assignee, a sum of money equal to ten shillings for each and every day specified and contained in such certificate, which money shall be issued and applied out of any fund then in the hands of such Treasurer, arising and accruing by virtue of this Act. Provided nevertheless, that if the fund at the time in the hands of such District Treasurer shall be insufficient, that then and in such cases such Treasurer shall satisfy, and he is hereby required to satisfy the amount of such Warrant, out of the first moneys which shall then next thereafter come into his hands by virtue of this Act.

A division thereupon ensued, the names were called for and taken down as follows.

YEAS

MESSRS ROGERS  
WASHBURN  
FERGUSON  
CLENCH  
NELLES  
THOMPSON

NAYS

MESSRS SH'FF MACDONELL  
SOLICITOR GEN.  
ELLIOTT  
McCRAE

Carried by a majority of two for the clause being added.

The amendment was then ordered to be engrossed.

Read a second time, The Revenue Bill.

The House then resolved itself into Committee to go into the further consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Thompson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported that the Committee had made some progress, and directed him to ask for leave to sit again.

Leave was accordingly given.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

The Honorable Legislative Council have passed an Act to authorize the Governor, Lieut. Governor, or person administering the Government of this Province, to license William Dickson, Esquire, to practise the Law in this Province, to which they have made some amendments, to which amendment they desire the concurrence of this House.

And then withdrew:

Mr. Sheriff Macdonell, seconded by Mr. Clench, moved that the said Bill as amended by the Legislative Council be read for the second time on to-morrow.

Ordered accordingly.

Then was read for the third time the engrossed Bill for the more uniform laying Assessments and Rates in this Province, and to alter the method of payment of Wages to Members of the House of Assembly."

Which was ordered accordingly.

Mr. Speaker having put the question, Shall this Bill pass,

A division thereupon took place, the names being called for were taken down, and are as follows.

#### YEAS

MESSRS ROGERS  
FERGUSON  
THOMPSON  
NELLES  
CLENCH  
SWAYZIE

#### NAYS

MESSRS SHUFF MACDONELL  
SOLICITOR GEN.  
MACDONELL (York)  
ELLIOTT  
McCRAE  
WASHBURN

The House being then divided Mr. Speaker gave his vote for the Bill's passing. The Bill then passed and was signed by Mr. Speaker.

Mr. Washburn moved, seconded by Mr. Nelles, that Messrs. Rogers and Clench do carry up to the Legislature the said Bill, and request their concurrence.

Ordered accordingly.

Messrs Rogers and Clench reported that they had carried up the said Bill, to the Honorable Legislative Council, and did request their concurrence.

Mr. Speaker then read a paper handed to him by the Clerk, and is as follows.

The Clerk begs leave respectfully to inform Mr. Speaker that although the Honorable the House of Assembly did empower their then Speaker, the Hon. David William Smith, Esquire, to examine and pay the contingent accounts of this House for the second Session of the Third Parliament, which accounts were delivered to him, and still a balance due the Clerk amounting to Twenty Five Pounds Eight Shillings and Six Pence, as per voucher. This balance remains still unpaid, the reason why, the Clerk resumes, was the hurry of business, in which the late Speaker was engaged previous to his embarking to England.

(Signed) Donald MacLean.

Clerk of Ho. Ass'y.

Commons House of Ass'y  
23rd February 1803.

The House then resolved itself into Committee to go into the consideration of a Bill entitled "An Act to amend an Act passed in the forty first year of His Majesty's Reign for granting duties on goods and merchandize brought into this Province."

Mr. Speaker left the Chair.

Mr. Thompson again took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported that the Committee had made a progress, and was directed to ask leave to sit again to-morrow.

Leave was accordingly granted.

Then was read for the second time, A Bill for the better securing to His Majesty, His Heirs and Successors the due collection of duties imposed on Tavern, Shop and Still Licenses in this Province.

The House then resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Washburn was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported a progress, and asked for leave to sit again to-morrow.

Leave was accordingly granted.

On motion of Mr. Solicitor General, seconded by Mr. Sheriff Macdonell, the House adjourned.

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*Friday, 25th February 1803.*

Prayers were read.

Mr. Swayzie, seconded by Mr. Solicitor General, moved that the Bill for laying duties on Billiard Tables, which stood on the Order of the Day for yesterday, be now read for the first time.

The said Bill was then accordingly read for the first time.

Mr. Swayzie again moved, seconded by Mr. Solicitor General, that the said Bill be read a second time to-morrow.

Ordered accordingly.

Agreeable to the Order of the Day the House resolved itself into Committee to go into the further consideration of a Bill respecting licenses.

Mr. Speaker resumed the chair.

Mr. Washburn reported a progress and asked leave to sit again to-morrow.

Leave was accordingly given.

On motion of Mr. Washburn, seconded by Mr. Ferguson, the House adjourned.

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*Saturday, 26th February 1803.*

Prayers were read.

Agreeable to the Order of the Day the House resolved itself into Committee on the Bill for the more uniform collecting the duties imposed on persons selling under licenses.

Mr. Speaker left the Chair.

Mr. Washburn was called to the chair of the Committee.

Mr. Speaker resumed the Chair.



Mr. Washburn reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report to the House whenever they would be pleased to receive the same.

Which Report the House then resolved should be received and accepted.

Then the said Bill as amended was ordered to be engrossed and read a third time on Monday next.

Then the House resolved itself into Committee to go into the consideration of a Bill for the better securing the collection and payment of duties on goods brought into this Province from the United States of America.

Mr. Speaker left the Chair.

Mr. Thompson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported a progress and asked for leave to sit again this day.

Leave was accordingly given.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Legislative Council to inform this House that they have passed a Bill sent up from this House, to which they made some amendments, entitled "An Act for the more uniform laying of Assessments throughout this province, and to alter the method of payment of wages to Members of the House of Assembly," to which amendments they request the concurrence of this House.

And then withdrew.

The House again resolved itself into Committee on the Bill for imposing duties on certain goods brought from the United States of America into this Province.

Mr. Speaker left the Chair.

Mr. Thompson again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported a progress, and asked for leave to sit again on Monday next.

Leave was accordingly granted.

Then, on motion of Mr. Nelles, seconded by Mr. Macdonell of York, the House adjourned until Monday next.

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*Monday, 28th February 1803.*

Prayers were read.

Then Mr. Macdonell of York moved, seconded by Mr. Sheriff Macdonell, that any five Members, together with the Speaker, be during the present Session a sufficient quorum of this House to compel the attendance of any Member who shall absent himself from his duty without leave of this House.

A division thereupon took place, the names were called for, they were taken down and are as follows.

## YEAS

MESSRS SH'FF MACDONELL  
WASHBURN  
MACDONELL (York)  
SOLICITOR GEN.

## NAYS

MESSRS FERGUSON  
ELLIOTT  
MACDONELL (Glengarry)  
ROGERS  
NELLES  
McCRAE  
SWAYZIE  
CLENCH

The same passed in the negative by a majority of four.

Mr. Solicitor General presented a Petition from Robert I. D. Gray and four others, which was ordered to lie on the table.

Then Mr. Clench moved, seconded by Mr. Macdonell of York, That so much of the Order of the Day as directs the third reading of the Bill for the more uniform collecting the duties imposed on persons selling spirituous liquors or working Stills under Licenses in this Province be discharged, and that the said Bill be now recommitted.

The House ordered the same, and accordingly resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Washburn was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report to the House whenever it shall be pleased to receive the same.

The House then resolved that the said Report be now received and accepted.

Then the said Bill as amended was ordered to be engrossed and read a third time to-morrow.

Agreeable to the Order of the Day the House resolved itself into Committee to go into the further consideration of the Bill for better securing the due collection and payment of duties on goods brought into this Province from the United States of America.

Mr. Speaker left the Chair.

Mr. Macdonell of Glengarry was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell of Glengarry reported that the Committee had gone through the consideration of the said Bill, which he was directed to report whenever the House would be pleased to receive the same.

Then, on motion of Mr. Clench, seconded by Mr. Sheriff Macdonell, it was resolved that the said Report be now received and accepted.

Agreeable to the Order of the Day was read for the second time the Bill entitled "An Act to compel transient and itinerant persons to satisfy small debts."

On motion of Mr. Macdonell of York, seconded by Mr. ———, the House adjourned.

*Tuesday, 1st March, 1803.*

Prayers were read.

Agreeable to leave the Petition of Hugh Macdonell, Esquire, was brought up and ordered to lie on the Table.

The Speaker then read a paper handed him by the Clerk, which is as follows.

Mr. Speaker,

The Clerk begs leave to inform this Honorable House that the wages now due the Copying Clerks exceeds the sum appropriated by law for that purpose. He therefore prays that he may receive the permission and sanction of this House further to employ Copying Clerks to assist him in doing the duty of this House.

(Signed) Donald MacLean  
Cl'k Assembly

Commons House of Assembly,  
28th February 1803.

Then Mr. Ferguson moved, seconded by Mr. Sheriff Macdonell, that Mr. Speaker recommend to the Clerk of this House that he do appoint Charles Willcocks to be his Copying Clerk.

A division thereupon took place, the names being called for were taken down, and are as follows.

#### YEAS

MESSRS SH'FF MACDONELL  
ELLIOTT  
ROGERS  
WASHBURN  
SWAYZIE  
McCRAE  
CLENCH

#### NAYS

MESSRS MACDONELL (York)  
MACDONELL (Glen)  
SOLICITOR GEN.

The same was carried in the affirmative by a majority of five.

And ordered accordingly.

Mr. Washburn, seconded by Mr. McCrae, moved for leave to bring in a Bill, to be read this day for the first time, to alter the mode of paying the Wages of the Members of the House of Assembly.

A division took place, the names being called for they were taken down, and are as follows.

#### YEAS

MESSRS SH'FF MACDONELL  
ELLIOTT  
MACDONELL (York)  
SOLICITOR GEN.  
FERGUSON  
ROGERS  
WASHBURN  
McCRAE

#### NAYS

MESSRS CLENCH  
SWAYZIE  
MACDONELL (Glen)

Carried in the affirmative by a majority of five.

Leave was accordingly granted, and the said Bill was read for the first time.



Mr. McCrae then moved, seconded by Mr. Swayzie, in amendment that after the word "on" the rest be expunged, and the words "three months" be inserted in lieu thereof.

Th question being put on the amendment, a division thereupon took place, the names being called for were taken down, and are as follows.

## YEAS

MESSRS CLENCH  
SWAYZIE

## NAYS

MESSRS SH'FF MACDONELL  
ELLIOTT  
MACDONELL (York)  
MACDONELL (Glen)  
SOL'R GENERAL  
FERGUSON  
ROGERS  
WASHBURN  
McCRAE

The same passed in the negative by a majority of seven.

Then the main question having been put it was carried in the affirmative, and the said Bill was ordered to be read a second time on to-morrow.

Mr. Washburn then moved, seconded by Mr. Solicitor General, for leave to bring in a Bill to be read this day for the first time, which stood on the Order of the Day 4th of February, to amend an Act passed in the forty first year of His Majesty's Reign entitled "An Act to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province, to appoint Inspectors of Flour, Pot and Pearl Ashes within this Province."

Leave was accordingly granted.

Mr. Sheriff Macdonell moved, seconded by Mr. Swayzie, That this House do now resolve itself into Committee to take into their consideration the amendments made by the Honorable the Legislative Council to a Bill entitled "An Act to authorize the Governor, Lieutenant Governor, or person administering the Government to appoint William Dickson, Esquire, to be a Practitioner in the Law."

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported that the Committee had gone through the consideration of the said Bill as amended by the Honorable the Legislative Council, and that he was directed to report the said Bill as amended by them.

Which report was accepted.

Mr. Rogers moved, seconded by Mr. Ferguson, that a message be sent to the Honorable the Legislative Council, informing them that this House have agreed to the amendments made by them to a Bill entitled "An Act to authorize the Governor, Lieut. Governor, or person administering the Government of this Province, to license William Dickson, Esquire, to practice the Law in this Province, and to authorize the said William Dickson and other Attornies to take such number of Clerks as therein mentioned," and that Messrs. McCrae and Elliott do carry up the same.

Ordered accordingly.

Then was read for the first time a Bill to authorize the Governor, Lieutenant Governor, or person administering the Government for the time being, to appoint Inspectors of Flour, Pot and Pearl Ashes, within this Province.

Mr. Washburn then moved, seconded by Mr. Ferguson, that the Inspector Bill be read a second time to-morrow.

Then was read by the Clerk at the Table the following Petition:

To the Honorable the Assembly of the Province of  
Upper Canada in Parliament Assembled, &c. &c.

The Petition of Robert Isaac Dey Gray in behalf of three several persons and himself,

Humbly Sheweth,

That Your Petitioner, together with the Honorable John Elmsley, and William Cooper, has been concerned in the levying four several fines in the Court of King's Bench in this Province; and being advised that the said fines are not legal on account of the want of the necessary officers, to carry through the same, and that the said fines will not be effectual without the interposition of the Parliament of this Province,—most humbly and respectfully pray the Honorable the Assembly of this Province to lend their aid in framing and passing a law to declare such fines legal and effectual to all intents and purposes.

And Your Petitioners will most humbly and forever Pray.

(Signed) R. I. D. Gray,

20th Feb'y, 1803.

for himself and four others.

On motion of Mr. Solicitor General, seconded by Mr. Clench, was read for the first time a Bill entitled "An Act to declare valid and effectual four several fines in the Court of King's Bench in this Province."

The said Bill was again read for the second time.

On motion of Mr. Clench, seconded by Mr. Rogers, the House resolved itself into Committee to go into consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported that the Committee had gone through the consideration of the said Bill without making any amendments.

Which Report was accepted.

Then Mr. Clench moved, seconded by Captain Elliott, that the said Bill be engrossed and read a third time this day.

Ordered accordingly.

Then on motion of Mr. Macdonell of York, seconded by Mr. Washburn, the House resolved itself into Committee to go into consideration of the Pound Keepers' Bill, as amended by the Honorable the Legislative Council.

Mr. Speaker left the Chair.

Mr. McCrae was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McCrae reported that it was the wish of the Committee that a conference be had with the Honorable the Legislative Council, in and on the amendments made by them to the said Bill.

Which Report was accepted, and ordered accordingly.

Agreeable to the Order of the Day was read for a third time, the Engrossed Bill entitled "An Act for the better securing to His Majesty, his Heirs and Successors, the collection of duties therein mentioned."

Then Mr. Macdonell of York, seconded by Mr. Solicitor General, moved that the title of the said Bill be "An Act for the better securing to His Majesty, his Heirs and Successors, the due collection and receipt of certain duties therein mentioned."

Ordered accordingly.

Which Bill was passed, and was signed by Mr. Speaker.

Then Mr. Rogers moved, seconded by Mr. Swayzie, That Mr. Washburn and Mr. Angus Macdonell of Glengarry be a Committee to request a conference with the Honorable the Legislative Council on the amendments made by them to a Bill entitled "An Act to extend the Provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting Horned Cattle, Horses, Sheep, and Swine to run at large."

The same was ordered accordingly.

Mr. Ferguson then moved, seconded by Mr. Solicitor General, for leave to bring in on tomorrow a Bill to declare what shall be deemed to be the Public Roads in certain parts of this Province.

Ordered accordingly.

On motion of Mr. Ferguson, seconded by Captain Elliott,

Ordered, That the Bill for laying duties on Goods and Merchandises brought into this Province from the United States be engrossed and read a third time this day.

Messrs. McCrae and Elliott reported that they had been up to the Honorable the Legislative Council, where they delivered the following message.

Mr. Speaker,

I am directed by the House of Assembly to inform this Honorable House that they have concurred in and to the amendments made by this House to a Bill entitled "An Act to authorize the Governor, the Lieutenant Governor, or person administering the Government of this Province, to License William Dickson, Esquire, to practice the Law in this Province, and to allow the said William Dickson and other Attornies to take such number of Clerks as therein mentioned."

(Signed) Richard Beasley,

Speaker.

Commons House of Assembly,  
Tuesday, 1st March, 1803.

Messrs. Washburn and Macdonell of Glengarry reported that agreeable to the directions of this House they had gone up to the Legislative Council, and did there request a conference on the part of this House with the Honorable the Legislative Council on the amendments made by them to a Bill entitled "An Act to extend the Provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting Horned Cattle, Horses, Sheep, and Swine to run at large."

Mr. Gray (sic) moved, seconded by Mr. Ferguson, that Messrs. Rogers and Sheriff Macdonell be a Committee to carry up to the Legislative Council an Act for the better securing to His Majesty, his Heirs and Successors, the collection and receipt of certain duties therein mentioned, and to request their concurrence thereto.

Ordered accordingly.



Then the engrossed Bill entitled "An Act to declare valid four several fines levied or to be levied, in the Court of King's Bench, was read a third time.

Then Mr. Solicitor General moved, seconded by Mr. Ferguson, that the title of the Bill be "An Act to declare valid and effectual four several fines levied, or intended to be levied, in His Majesty's Court of King's Bench in this Province."

Ordered accordingly.

Mr. Solicitor General moved, seconded by Mr. Swayzie, that Mr. Rogers and Sheriff McDonell be a Committee to carry up to the Legislative Council an Act to declare valid and effectual four several fines, levied, or intended to be levied, in His Majesty's Court of King's Bench in this Province; and to request their concurrence thereto.

Which was ordered accordingly.

A Written Message from the Honorable the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am directed by the Honorable the Legislative Council to inform this House that they have acceded to the conference requested, which may be holden at the rising of the Legislative Council, this day.

By Order of the House.

(Signed) H. Allcock,  
Speaker.

Legislative Council Chamber,  
Tuesday, 1st March, 1803.

And then withdrew.

Mr. Rogers and Sheriff Macdonell reported that they had carried up to the Honorable the Legislative Council a Bill entitled "An Act for the better securing to His Majesty, his Heirs and Successors, the due collection and receipt of certain duties therein mentioned," and also the Bill entitled "An Act to declare valid and effectual four several fines, levied or intended to be levied, in His Majesty's Court of King's Bench in this Province," and to which several Bills they requested their concurrence.

Then was read for the third time the engrossed Bill entitled "An Act to explain and amend an Act passed in the forty first year of His Majesty's Reign, entitled "An Act for granting to His Majesty, his Heirs and Successors, to and for the use of this Province, the like duties on Goods and Merchandise brought into this Province from the United States of America, as are now paid on goods and Merchandise imported from Great Britain and other places; and to provide more effectually for the collection and payment of duties on Goods and Merchandise coming from the United States of America into this Province; and also to provide a fund for the erection and repairing of Light Houses."

The Bill then passed, and was signed by Mr. Speaker.

Mr. Rogers, seconded by Mr. Ferguson, moved that Mr. Macdonald of York and Mr. Ferguson do carry up the said Bill to the Honorable the Legislative Council and do request their concurrence.

Which was ordered accordingly.

Mr. Swayzie moved, seconded by Mr. Sheriff Macdonell, that Messrs Angus Macdonell, of York, Ferguson, McCrae, Elliott, Rogers, and Solicitor General be a Committee to confer with a Committee of the Honorable Legislative Council on the amendments made to the Pound Keepers' Bill.

Ordered accordingly.

Then Mr. Macdonell of York gave notice that he will move on tomorrow that this House do beseech by Address that His Excellency the Lieutenant Governor be pleased to order the sum of ..... to be issued and advanced to such Commissioners as he may have appointed, or may hereafter appoint, for the purpose of distributing hemp seed gratis, to enable them to prosecute further that object.

And also the sum ..... to be supplied under the management of such persons as he may be pleased to nominate in erecting Bridges and repairing Highways in such parts of this Province as may most immediately require the general aid of the Public.

And also..... to the Clerk of the House of Assembly, to enable him to answer and satisfy certain contingent disbursements of the present Session of Parliament, and to enable him to provide a supply of stationery for the future use of the Commons; which several sums of money the Commons will make good to His Excellency during the next Session of Parliament.

Mr. Macdonell of York, one of the Managers appointed to confer with the Committee of the Legislative Council on the amendments made by them in and to a Bill entitled "An Act to extend the Provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting Horned Cattle, Horses, Sheep and Swine to run at large," reported that the Managers in that behalf of this House had concurred in the said amendments, excepting in so far as relates to the Town of Cornwall, which the joint Committee had concurred in agreeing to expunge.

Mr. Clench then moved, seconded by Mr. Swayzie, that the House do not concur in the Report of the Committee.

A division thereupon took place, the names being called for, were taken down, and are as follows:

#### YEAS

MESSRS ROGERS  
CLENCH  
SWAYZIE

#### NAYS

MESSRS SH'FF MACDONELL  
SOL'R GENERAL  
MACDONELL (York)  
MACDONELL (Glen)  
FERGUSON  
McCRAE  
ELLIOTT

Passed in the negative by a majority of four.

The House accordingly concurred in the Report made by their Managers.

Then was read for the second time a Bill imposing a duty on Billiard Tables in this Province.

On motion of Mr. Sheriff Macdonell, seconded by Mr. Swayzie, the House resolved itself into Committee to go into consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Macdonell of York was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell of York reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments which

he was directed to report to the House whenever they should be pleased to receive the same.

Mr. Clench then moved, seconded by Mr. Ferguson, that the said Report be not accepted.

A division ensued, the names being called for, they were taken down and are as follows:

## YEAS

MESSRS CLENCH  
ROGERS  
FERGUSON  
McCRAE

## NAYS

MESSRS SH'FF MACDONELL  
SOL'R GENERAL  
MACDONELL (York)  
MACDONELL (Glen)  
ELLIOTT  
SWAYZIE

The same was passed in the negative by a majority of two.

Then the Report was accordingly accepted.

Mr. Solicitor General then moved, seconded by Mr. Swayzie, that the said Bill be engrossed and read a third time tomorrow.

Mr. Ferguson moved in amendment, seconded by Mr. Clench, that the said Bill be engrossed and read a third time on Thursday next.

Which passed in the negative.

Then the main question was put, carried, and ordered accordingly.

Mr. Rogers moved, seconded by Mr. Ferguson, that this House do now adjourn.

Which passed in the negative.

Then Mr. Macdonell of York moved, seconded by Mr. Clench, that Messrs. Washburn and McCrae do inform the Legislative Council that this House has agreed to the Report made by their Managers in the conference relative to the amendments made in the Legislative Council in and to the Bill relating to Pound Keepers, and that this House has accordingly agreed to all the amendments aforesaid, excepting in so far as concerns the Town of Cornwall, which the Managers in conference concurred in agreeing to expunge.

Ordered accordingly.

Then on motion of Mr. Macdonell of York, seconded by Captain Elliott, the House adjourned.

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*Wednesday, 2nd March, 1803.*

Prayers were read.

Messrs. Ferguson and Macdonell of York informed the House that they had carried up to the Honorable Legislative Council a Bill entitled "An Act for granting to His Majesty, his Heirs and Successors, to and for the use of this Province, the like duties on Goods and Merchandises brought into this Province from the United States of America as are now paid on Goods and Merchandise imported from Great Britain and other places; and to provide more effectually for the collection and payment of duties on Goods and Merchandise coming from the United States of America into this Province; and also to provide a fund for the erection and repairing of Light Houses—to which they request their concurrence.



A Message from the Honorable the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Legislative Council to inform this Honorable House that they have concurred and passed the Bill entitled "An Act to declare valid and effectual four several fines, levied or intended to be levied, in His Majesty's Court of King's Bench in this Province," without any amendment.

And then withdrew.

Mr. Solicitor General then moved, seconded by Captain Elliott, that the House do now resolve itself into Committee to take into their consideration the amendments made by the Legislative Council to the Assessment Bill.

A division thereupon took place; the names being called for, they were taken down, and are as follows:

#### YEAS

MESSRS SH'FF MACDONELL  
ELLIOTT  
SOLICITOR GENERAL  
McCRAE

#### NAYS

MESSRS MACDONELL (York)  
FERGUSON  
ROGERS  
SWAYZIE  
CLENCH  
WASHBURN

It passed in the negative by a majority of two.

Then Mr. Macdonell of York, seconded by Captain Elliott, moved for leave to bring in tomorrow a Bill to ascertain and declare the rates at which real and personal property shall be assessable.

Thereupon a division ensued; the names were ordered to be taken down, and are as follows:

#### YEAS

MESSRS SH'FF MACDONELL  
ELLIOTT  
MACDONELL (York)  
MACDONELL (Glen)  
SOL'R GENERAL  
WASHBURN  
McCRAE

#### NAYS

MESSRS ROGERS  
CLENCH  
SWAYZIE

Carried in the affirmative by a majority of four.

Leave was accordingly given.

Messrs McCrae and Washburn informed the House that they had carried up to the Honorable the Legislative Council the following message.

Mr. Speaker,

I am directed by the House of Assembly to inform this Honorable House that they have concurred in the Report made by their Managers in conference yesterday of an Act to extend the Provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large."

(Signed) Richard Beasley,

Speaker.

House of Assembly

Wednesday 2nd March, 1803.

Mr. Rogers moved, seconded by Mr. Clench, That this House do now resolve itself into Committee on the Bill to compel transient and itinerant persons to satisfy small debts.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported that the Committee had gone through the consideration of the said Bill, to which they made some amendments, which he was directed to report whenever the House will be pleased to receive the same.

The House then resolved that the said Report be now received.

Which Report was accordingly accepted.

The said Bill as amended was then ordered to be engrossed and read a third time this day.

A written Message from the Honorable Legislative Council by Mr. Burns Master in Chancery.

Mr. Speaker,

I am directed by the Honorable the Legislative Council to inform this House that they have accepted the Report of their Committee who held a conference with a Committee of the House of Assembly upon the subject of the amendments made by the said Honorable Legislative Council in and to a Bill entitled "An Act to extend the Provisions of an Act entitled 'An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large.'"

By Order of the House,

(Signed) H. Allcock,

Speaker.

Legislative Council Chamber

Wednesday, 2nd Mar. 1803.

Mr. Speaker,

I am commanded by the Legislative Council to inform this Honorable House that they have concurred and passed a Bill sent up from this House, entitled "An Act for the better securing to His Majesty, His Heirs and Successors, the due collection and receipt of certain duties therein mentioned."

And then withdrew.

Then was read for the first time An Act for declaring certain Roads heretofore laid out in this Province to be common and public Highways.

On motion of Mr. Ferguson, seconded by Capt. Elliott, the said Bill was read for the second time.

Then on motion of Capt. Elliott, seconded by Mr. Solicitor General, the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Swayzie reported that the Committee had gone through the consideration of the said Bill without any amendment which he was directed to report whenever the House will be pleased to receive the same.

The House then resolved that the said Report be now received, and accepted.

On motion of Mr. Clench, seconded by Mr. Ferguson, the said Bill was ordered to be engrossed and read a third time to-morrow.

Then, on motion of Mr. Clench, seconded by Mr. Solicitor General, the Bill for imposing a duty on Billiard Tables was recommitted.

Mr. Speaker left the Chair.

Mr. Macdonell of York was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Macdonell reported that the Committee had taken up and gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to communicate to the House whenever the House will be pleased to receive the same.

The report was accordingly received and accepted, and the said Bill, as amended, was ordered to be engrossed and read a third time to-morrow.

Then, on motion of Mr. Swayzie, seconded by Mr. Clench, the House adjourned until nine o'clock tomorrow morning.

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*Thursday, 3rd. March, 1803.*

Prayers were read.

Mr. Speaker then ordered the Clerk to deliver the Assessment Bill returned as amended by the Legislative Council to Angus Macdonell, Esq., a Member of this House.

Read for the third time as engrossed, A Bill for laying a duty on Billiard Tables.

Mr. Solicitor General moved, seconded by Mr. Swayzie, that the title of this Bill be "**An Act to impose and lay a duty upon Billiard Tables.**"

A division thereupon took place, the names were called for, and taken down, and are as follows.

YEAS

MESSRS SH'FF MACDONELL  
ELLIOTT  
SOLICITOR GEN.  
MACDONELL (York)  
MACDONELL (Glen)  
McCRAE  
SWAYZIE  
WASHBURN

NAYS

MESSRS FERGUSON  
ROGERS  
CLENCH  
THOMPSON

The same was carried in the affirmative by a majority of four and ordered accordingly.

Then Mr. Ferguson moved, seconded by Mr. A. Macdonell, that Messrs Swayzie and Washburn be a Committee to carry the Billiard Table Bill to the Honorable Legislative Council, and to request their concurrence thereto.

Ordered accordingly.

Mr. Ferguson moved, seconded by Mr. Sheriff Macdonell, that this House do present an Humble Address to His Excellency the Lieutenant Governor, requesting that he would be pleased to lay out and expend from time to time, and at all



times, that he may think fit during three years next ensuing, and in such manner as he may think proper to direct, such sum or sums of money in opening, keeping in repair, and erecting bridges in the following Roads; that is to say the Road from the town of York to the Head of Lake Ontario, a Road from the Delaware Town to the Moravian Town, a Road from the mouth of the River Thames to the River Pike, and in opening a Road and erecting bridges from the east end of the Township of Thurlow through the Mohawk Lands in the Bay of Quinte to the western Line of the Township of Richmond; and in erecting bridges on the Rivers from the Town of York, to the River Trent, being a part of that Road commonly called Dundas Street—And also such sums as His Excellency may deem meet in aid of such Inhabitants along or near the said Road, where their numbers are so few as not to be able by their Statute Labour to keep the said Roads in repair; which sums shall not exceed the sum of Seven Hundred and Fifty Pounds, which sum or sums the Commons will make good.

Ordered accordingly.

Read for the third time, The engrossed Bill entitled “An Act to declare what shall be deemed Public Roads in certain parts of this Province.”

Which passed and was signed by Mr. Speaker.

Mr. McCrae moved, seconded by Mr. Rogers, that Messrs Ferguson and Macdonell of Glengarry be a Committee to carry up this Bill to the Honorable the Legislative Council, to request their concurrence thereto.

Ordered accordingly.

Messrs. Swayzie and Washburn reported that they had carried up to the Honorable Legislative Council a Bill for laying a duty on Billiard Tables, and requested their concurrence.

Then was read for the third time, The engrossed Bill to ascertain and declare the Jurisdiction of the District Courts.

Which passed, and was signed by Mr. Speaker.

Messrs. Ferguson and Macdonell of Glengarry then reported that they had carried up to the Honorable the Legislative Council an Act to declare what shall be deemed to be Public Roads in certain parts of this Province, and requested their concurrence.

Mr. Rogers moved, seconded by Capt. Elliott, That Mr. Angus Macdonell of York and the Solicitor General be a Committee to carry up the engrossed Bill to ascertain and declare the Jurisdiction of the District Courts to the Honorable the Legislative Council and request their concurrence.

Ordered accordingly.

Messrs. Macdonell of York and Solicitor General reported that they had carried up to the Honorable the Legislative Council the Bill to ascertain and declare the Jurisdiction of the District Courts, and did request their concurrence thereto.

Mr. Solicitor General moved, seconded by Mr. Rogers, that Mr. Sheriff Macdonell and Mr. Ferguson be a Committee to draft the Address to His Excellency the Lieutenant Governor.

Ordered accordingly.

Read for the second time, The Bill for the better payment of Wages to the Members of the House of Assembly.

Mr. Washburn moved, seconded by Mr. Rogers, that the House do now resolve into Committee to take the said Bill into consideration.

The House accordingly resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Macdonell of Glengarry was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell of Glengarry reported progress, and asked leave to sit again this day.

Leave was accordingly granted.

Mr. Sheriff Macdonell and Mr. Ferguson reported that they had drafted an Address to His Excellency the Lieutenant Governor, which they were ready to submit to the House whenever they were pleased to receive the same.

The said Address was then read, passed, and signed by Mr. Speaker; and is as follows.

To His Excellency Peter Hunter, Esquire,  
Lieutenant Governor of the Province of  
Upper Canada, and Lieutenant General Com-  
manding His Majesty's Forces in the Pro-  
vince of Upper and Lower Canada, &c. &c.

May it please Your Excellency:—

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, having resolved that an humble Address be presented to Your Excellency, praying that the sum of money not exceeding seven hundred and fifty pounds be applied out of the unappropriated funds which are now in the Provincial Treasury, or may in the course of three years next ensuing be paid into the same, for the purpose of opening and keeping in repair Roads and Bridges in this Province:—We therefore pray that it may please Your Excellency favorably to approve of the Resolution of the Commons, and that Your Excellency be pleased to cause the same to be carried into effect as Your Excellency in Your discretion shall see fit; and which sum the Commons will make good.

(Signed) Richard Beasley,  
Speaker.

Commons House of Assembly  
3rd March, 1803.

The House then resolved itself into Committee to go into the further consideration of the Bill entitled "An Act for the better payment of Wages to the Members of the House of Assembly."

Mr. Speaker left the Chair.

Mr. Macdonell of Glengarry again took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported a progress, and asked for leave to sit again this day.

Leave was granted accordingly.

Mr. Washburn moved, seconded by Mr. Macdonell of York, That Messrs Ferguson and Swayzie be a Committee to wait upon His Excellency the Lieutenant Governor to know at what time he will be pleased to receive the address voted this day.

Ordered accordingly.

The House again resolved itself into Committee on the Bill for the better payment of Wages to the Members of the House of Assembly.

Mr. Speaker resumed the Chair.

Mr. Macdonell of Glengarry again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report whenever the House should be pleased to receive the same.

On Mr. Speaker having put the question, Shall the report be now received,

A division took place, the names being called for they were taken down, and are as follows.

## YEAS

## NAYS

MESSRS SH'FF MACDONELL  
SOLICITOR GENERAL  
MACDONELL (York)  
ROGERS  
ELLIOTT  
WASHBURN  
McCRAE  
THOMPSON  
MACDONELL (Glengarry)

MR. CLENCH

Carried in the affirmative by a majority of eight, and the Report was then accepted.

Mr. Washburn then moved, seconded by Mr. McCrae that the said Bill be engrossed and read a third time this day.

Ordered accordingly.

Then was read for the third time, the Engrossed Bill for the better payment of Wages to the Members of the House of Assembly, which passed and was signed by Mr. Speaker.

Mr. Rogers moved, seconded by Mr. Solicitor General, That Mr. Washburn and Mr. Thompson be a Committee to carry up this Bill to the Honorable the Legislative Council and to request their concurrence thereto.

Ordered accordingly.

Messrs Washburn and Thompson reported that they had carried up the said Bill to the Honorable the Legislative Council and requested their concurrence.

Mr. Rogers moved, seconded by Mr. Clench, that this House do resolve itself into Committee to take into their further consideration the Public Accounts.

Then Mr. Macdonell of York, seconded by Mr. Solicitor General, moved an amendment, That the Bill for laying Assessments be now read a first time.

A division thereupon took place, the names were ordered to be taken down, and are as follows.

## YEAS

## NAYS

MESSRS SOLICITOR GEN.  
ELLIOTT  
MACDONELL (York)  
MACDONELL (Glen)  
McCRAE  
WASHBURN

MESSRS FERGUSON  
ROGERS  
CLENCH  
SWAYZIE  
THOMPSON

The amendment passed by a majority of one.

Mr. Speaker having put the question for the first reading of the said Bill,



It was ordered accordingly, and the said Bill was read by the clerk at the Table for the first time.

Then Mr. Solicitor General moved, seconded by Mr. McCrae, That the said Bill be read a second time this day.

A division took place, the names were taken down, and are as follows.

## YEAS

MESSRS ELLIOTT  
MACDONELL (York)  
MACDONELL (Glen)  
SOLICITOR GEN.  
McCRAE  
WASHBURN

## NAYS

MESSRS FERGUSON  
ROGERS  
CLENCH  
THOMPSON

Carried in the affirmative by a majority of two.

The House accordingly resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Thompson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported that the Committee had gone through the consideration of the said Bill to which they had made some amendments, which amendments they were ready to submit to the consideration of the House whenever they were pleased to receive the same.

Mr. Speaker then put the question, Shall the Report be now received.

The House divided, the names were called for and taken down and are as follows.

## YEAS

MESSRS SHERIFF MACDONELL  
ELLIOTT  
MACDONELL (York)  
MACDONELL (Glen)  
WASHBURN  
SOLICITOR GENERAL

## NAYS

MESSRS FERGUSON  
ROGERS  
CLENCH  
THOMPSON

Carried in the affirmative by a majority of two.

The Report was then accordingly accepted.

Then Mr. Washburn moved, seconded by Mr. Macdonell of York, That the said Bill be engrossed and read a third time this Day.

Mr. Clench then moved in amendment, seconded by Mr. Rogers, That after the word "day" in Mr. Washburn's motion "three months" be inserted.

A division ensued, the names being called for were taken down and are as follows.

## YEAS

MESSRS THOMPSON  
ROGERS  
FERGUSON  
CLENCH  
SWAYZIE

## NAYS

MESSRS SH'FF MACDONELL  
ELLIOTT  
MACDONELL (York)  
MACDONELL (Glen)  
McCRAE  
WASHBURN  
SOLICITOR GEN.

The amendment then passed in the negative by a majority of two.

Then the main question was put and carried in the affirmative, and ordered accordingly.

Then Mr. Rogers, seconded by Mr. Macdonell of York, moved in amendment to the Bill just now read that after the words "twenty eight" the words "and thirtieth" be inserted.

Ordered accordingly.

Mr. Solicitor General moved, seconded by Mr. Washburn, that the words "next ensuing" and the word "for" which first occurs in the eighth line of the second Press be expunged, and in lieu of the word "for" the word "in" be inserted.

Ordered accordingly.

Mr. Ferguson then moved, seconded by Mr. Thompson, that the words "horned cattle from the" in the thirtieth line of the second Press, and the words "age of two years to four years One Pound" in the fourteenth line of the same be expunged.

Which passed in the negative.

Mr. Ferguson further moved, seconded by Mr. Rogers, that before the word "situate" in the seventeenth line from the bottom of the third Press, insert the words "of one acre," and after the words "Ten Pounds" in the fifth line from the bottom of the same Press, insert the words following "and in that proportion for every quarter or less lot."

Carried in the negative.

Mr. Rogers moved, seconded by Mr. Clench, that after the word "land" add the words "and three pence."

Passed in the negative.

Mr. Rogers then moved, seconded by Mr. Washburn, that after the word "entertainment" in the second clause of this Bill, the words "in the Towns of Sandwich, Amherstburg, Queenston, Niagara, York, Kingston and Cornwall" be inserted.

Which passed in the negative.

Mr. Rogers, seconded by Mr. Clench, then moved that the word "Penny" be expunged, and the word "Halfpenny" be inserted in lieu thereof.

The House divided, the names being called for, were taken down, and are as follows.

#### YEAS

MESSRS FERGUSON  
ROGERS  
THOMPSON  
CLENCH  
SWAYZIE

#### NAYS

MESSRS SH'FF MACDONELL  
ELLIOTT  
MACDONELL (York)  
MACDONELL (Glen)  
McCRAE  
WASHBURN

The same passed in the negative by a majority of one.

Mr. Rogers moved, seconded by Mr. Ferguson, that after the word "rated" in the fourth clause of this Bill, the words "including the wages of the Members of the House of Assembly" be inserted.

Carried in the negative.

Mr. Rogers, seconded by Mr. Swayzie, moved to expunge the words "upon sufficient proof being produced to them" and insert the words "upon such persons being found guilty by a Jury."

Carried in the negative

Mr. Rogers moved, seconded by Mr. Clench, to expunge the word "four" in the last clause of this Bill, and to insert the word "two."

A division took place, the names were called for and ordered to be taken down, and are as follows:

## YEAS

MESSRS ROGERS  
FERGUSON  
SWAYZIE  
CLENCH  
THOMPSON

## NAYS

MESSRS ELLIOTT  
SH'FF MACDONELL  
MACDONELL (York)  
MACDONELL (Glen)  
SOL'R GENERAL  
WASHBURN  
McCRAE

Passed in the negative by a majority of two.

Mr. Ferguson then moved, seconded by Mr. Rogers, to expunge the words "and from thence to the then ensuing Session of the Provincial Parliament."

A division ensued, the names being called for were taken down, and are as follows:

## YEAS

MESSRS ROGERS  
FERGUSON  
SWAYZIE  
CLENCH  
THOMPSON

## NAYS

MESSRS ELLIOTT  
SH'FF MACDONELL  
MACDONELL (York)  
MACDONELL (Glen)  
WASHBURN  
McCRAE  
SOLICITOR GENERAL

The same was passed in the negative by a majority of two.

Mr. Macdonell of York, seconded by Mr. Solicitor General, moved that the title of the said Bill be, "An Act particularizing the property, real and personal, which during the continuance thereof shall be subject to assessments and rates, and fixing the several valuations at which each and every particular of such property shall be rated and assessed."

Mr. Speaker having put the question, Shall this Bill pass as amended,

A division thereupon took place, the names were called for and taken down, and are as follows.

## YEAS

MESSRS ELLIOTT  
SH'FF MACDONELL  
MACDONELL (York)  
MACDONELL (Glen)  
WASHBURN  
SOLICITOR GEN.  
McCRAE

## NAYS

MESSRS SWAYZIE  
CLENCH  
THOMPSON  
ROGERS  
FERGUSON



The same was carried in the affirmative by a majority of two.

The Bill then passed as amended, and was signed by Mr. Speaker.

Mr. Solicitor General moved, seconded by Capt. Elliott, that Mr. Angus Macdonell of York and Mr. Washburn do carry up the said Bill to the Legislative Council, and request their concurrence thereto.

Ordered accordingly.

Mr. Rogers then moved, seconded by Mr. Thompson, that the House do adjourn.

The same was carried in the negative.

Mr. Ferguson then moved, seconded by Mr. Macdonell of Glengarry, for leave to bring in this day a Bill to explain and amend an Act passed in the Forty first year of His Majesty's Reign, entitled "An Act for granting to His Majesty, His Heirs and Successors, to and for the use of this Province, the like duties on goods and merchandise brought into this Province from the United States of America as are now paid on goods and merchandise imported from Great Britain and other places, "and to provide more effectually for the collection and payment of duties on Goods and merchandise coming from the United States of America into this Province, and also to establish a fund for the erection and repairing of Light-houses.

Leave was accordingly granted.

Then the said Bill was read for the first time.

Mr. Solicitor General moved, seconded by Mr. Clench, that this Bill be now read a second time.

The said Bill was accordingly read the second time.

Mr. Solicitor General then moved, seconded by Mr. Swayzie, That the House do now resolve itself into Committee of the Whole House on the said Bill.

The House accordingly resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Macdonell of York was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell of York reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report to the House whenever they should be pleased to receive the same.

The House then resolved that the said Report be now received.

Accordingly the said Report was accepted.

Then the said Bill was ordered to be engrossed and read a third time this day.

Read a third time, The engrossed Bill for laying duties on goods and merchandize coming from the United States of America.

Then Mr. Macdonell of York, seconded by Mr. Clench, moved that the title of the said Bill be "An Act for the better preventing frauds and regulating abuses in His Majesty's Customs therein mentioned, and to establish and maintain Light-houses in certain parts of this Province.

The same passed in the negative.

The Bill then passed and was signed by Mr. Speaker.

Mr. Solicitor General then moved, seconded by Mr. Swayzie, That Mr. Angus Macdonell of York and Mr. Washburn, do carry the said Bill to the Legislative Council and request their concurrence.

Ordered accordingly.

Then, on motion of Mr. Swayzie, seconded by Mr. Macdonell of York, the House adjourned until nine o'clock to-morrow morning.

*Friday, 4th March 1803.*

Prayers were read.

A Message from the Honorable the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this House that they have passed a Bill entitled "An Act to impose and lay a duty on Billiard Tables," to which they have made some amendments, to which they request the concurrence of this House.

And then withdrew.

On motion of Mr. Clench, seconded by Mr. Swayzie, the House resolved itself into Committee on the Provincial Public Accounts.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported progress, and for leave to sit again.

Leave was accordingly granted.

Then Mr. Ferguson moved, seconded by Mr. Rogers, that Mr. Speaker do name another member to take the Chair of the Committee on the Public Accounts, as the member named is on the Committee to carry an Address to His Excellency the Lieutenant Governor.

Mr. Macdonell of York, moved, as an amendment, seconded by Mr. Sheriff Macdonell, that in lieu of Messrs. Ferguson and Swayzie, named yesterday to wait on His Excellency with the Address of this House, that Mr. Sheriff Macdonell and Capt. Elliott be the Messengers for that purpose.

A division ensued, the names were called for and taken down as follows.

#### YEAS

MESSRS SH'FF MACDONELL  
ELLIOTT  
MACDONELL (York)  
McCRAE  
WASHBURN

#### NAYS

MESSRS ROGERS  
FERGUSON  
SWAYZIE  
CLENCH  
THOMPSON  
SOLICITOR GEN.

Passed in the negative by a majority of One.

The main question was then put and carried in the affirmative, and ordered accordingly.

The House again resolved itself into Committee on the Provincial Public Accounts.

Mr. Speaker left the Chair.

Mr. McCrae again took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McCrae reported a progress, and asked for leave to sit again this day.

Leave was accordingly granted.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Legislative Council to inform this Honorable House that they have passed a Bill entitled "An Act to explain and amend an

Act passed in the forty first year of His Majesty's Reign entitled "An Act for granting to His Majesty, His Heirs and Successors, to and for the use of this Province, the like duties on goods and merchandise brought into this Province from the United States of America, as are now paid on goods and merchandise imported from Great Britain and other places," and to provide more effectually for the collection and payment of duties on goods and merchandise coming from the United States of America into this Province, and also to provide a fund for the erection and repairing of Lighthouses."

I am further commanded to inform this House that they have passed a Bill entitled "An Act for the more uniform laying Assessments throughout this Province," to which Bills they have made no amendments.

And then withdrew.

The House again resolved itself into Committee to go into the further consideration of the Provincial Public Accounts.

Mr. Speaker left the Chair.

Mr. McCrae again took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McCrae reported a progress, and asked leave to sit again this day.

Leave was accordingly granted.

Messrs. Ferguson and Swayzie informed the House that they had waited upon His Excellency the Lieutenant Governor with the Address of this House, to which he was pleased to make the following answer.

Gentlemen:—

I should be happy to comply with this Address of the House of Assembly, and assent to the application of a sum not exceeding Seven Hundred and Fifty Pounds out of the unappropriated funds which now are, or in the course of three years next ensuing may be, paid into the Provincial Treasury, for the purpose of opening and keeping in repair Roads and erecting bridges, were it not that I think it expedient that the sanction of the whole of the Legislative Body should be obtained for the appropriation of any part of the Revenues of this Province for so long a period as is mentioned in this Address.

4th March 1803.

Mr. Ferguson moved, seconded by Capt. Elliott, that the fifth Rule of this House, which requires that a Member intending to move any question shall give one day's previous notice, be dispensed with, and that he have leave to bring in this day a Bill to authorize His Excellency the Lieutenant Governor of this Province to lay out and expend a sum of money in opening and repairing Roads, and in erecting Bridges in this Province.

The same passed in the negative.

The House again resolved itself into Committee on the Provincial Public Accounts.

Mr. Speaker left the Chair.

Mr. McCrae again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McCrae informed the House that the Committee on the Provincial Public Accounts, which was adjourned from time to time, has agreed to report finally this day, which he was directed to submit to the House whenever they will be pleased to receive the same.

The House resolved that the Report be now received.

The Report was accordingly received, and is as follows.



The Committee of the Whole House upon the Provincial Public Accounts' report.

That the Committee took up and read the Provincial Public Accounts as hereunto annexed. The Committee perceive a balance in the Provincial Treasurer's hands on account of Port and License Duties under Acts of the Provincial Parliament between the 28th May 1802 and 26th January 1803, amounting to

£1042 4. 8¼

The Committee also perceive that there is outstanding the sum of

775 1. 2¾

The Committee cannot, from unavoidable causes, exactly ascertain the amount of the duties from Lower Canada, but they have reason to believe that the amount of the said duties will be about

1159 0. 0.

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£2976. 5. 11

The Committee observe that the appropriated sum is

1090. 0. 0.

And leaves a balance of

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£1886. 5. 11.

---

The Committee then took into their consideration the contingent account of the Officers of the Legislative Council, which is as follows, viz.:

These are to certify that the following sums are due for services performed and articles furnished to the Legislative Council during the present Session.

No. 1. Joshua Leech for a chair for the

Legislative Council

7. 10. 0.

No. 2. William Allen's Account

32 18. 3.

No. 3. John McBeth's Do.

11. 1. 9¾

No. 4. Hugh McLean's " for the present session

1. 17. 6.

No. 5. For fatigue men employed by Capt.

McGill to bring sheet iron for the House

15. 0.

To Samuel Ahern for a Stove

12. 10. 0.

To Samuel Fan Cloath for attendance on the House

8. 10. 0.

To Hugh McLean's account for the last Session

2. 14. 6.

To William Allen's further account for candles and wood

2. 0. 0.

To the Clerk of the Legislative Council for stationery and other contingencies

15. 0. 0.

To the same for copying Clerks

25. 0. 0.

To John Griffin's Account for attendance upon the House, six days before Samuel Fan Cloath was employed

1. 10. 0.

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£121. 7. 0¾

Deduct Copying Clerks

25. 0. 0.

Lawful money

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£96. 7. 0¾

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(Signed) H. Allcock,

4th March, 1803.

Speaker.

Amounting to the sum of One Hundred and Eight Pounds Sixteen Shillings and Sixpence three Farthings.

The Committee then took into their consideration the Accounts of the Clerk of the House of Assembly, which are as follows, viz.

### HOUSE OF ASSEMBLY

To the Clerk for contingencies, Dr.

1802. Balance due to him last Session	25.	8.	6
Cash voted for Stationery and not received	23.	0.	0.
1803. John McBeth, Carpenter Account	14.	18.	0 <sup>3</sup> / <sub>4</sub>
Doorkeeper's Account	4.	15.	0.
A double stove bought from Mr. Wood by Mr. Speaker's orders for use of the House	15.	0.	0.
Mr. Duncan Cameron's Account	4.	10.	0.
Mr. Wood, for candles, candlesticks and tumblers		17.	6.
Firewood	5.	16.	3.
Henry Burton for attending the House of Assembly	9.	0.	0.
For extra Copying Clerks	25.	0.	0.
Sundry Disbursements	12.	0.	0.
Stationery	30.	0.	0.
Waters and Symons for printing	2.	10.	0.
	£174.	15.	3 <sup>3</sup> / <sub>4</sub>

March, 1803.

E. E. (Signed) Donald McLean,

Cl'k Assembly.

The Committee recommended that an humble Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to issue his Warrant in addition to the sums already appropriated by law to the Clerk of the House of Assembly for £174. 15. 3 3-4, for sundry contingencies and extra copying clerks, and to procure a further supply of stationery for the future purpose of the House of Assembly, to be accounted for by the Clerk.

Also to issue his Warrant to the Clerk of the Legislative Council, for the sum of Fifteen Pounds to pay for stationery for the next session.

Also to issue his Warrant to the Usher of the Black Rod for the sum of Ninety Three Pounds, Sixteen Shillings and Sixpence three farthings for contingencies and disbursements for the use of the Legislative Council, all of which sums amount in the whole to the sum £303. 11. 10<sup>1</sup>/<sub>2</sub>.

4th March, 1803.

(Signed) Thomas McCrae,

Chairman.

Mr. Rogers moved, seconded by Mr. McCrae, that Mr. Solicitor General and Mr. Sheriff Macdonell be a Committee to draft an Address to His Excellency the Lieutenant Governor, agreeable to the Report of the Committee of the Whole House on the Public Accounts.

Ordered accordingly.

Then Mr. Ferguson moved, seconded by Mr. Washburn, That the House do present an Humble Address to His Excellency the Lieutenant Governor, requesting that he would be pleased to lay out and expend from time to time and at any time he may think proper during one year from this time, such sum or sums of money, not exceeding Five Hundred Pounds, for the purpose of opening and keeping in repair Roads, and erecting Bridges in this Province, which sum the Commons will make good.

The same was ordered accordingly.

Mr. Washburn then moved, seconded by Capt. Elliott, That Messrs Ferguson and Thompson be a Committee to draft an Address to His Excellency the Lieutenant Governor for the purpose of carrying the foregoing into effect.

Ordered accordingly.

Mr. Angus Macdonell of York moved, seconded by Mr. Washburn, that the House do now resolve itself into Committee to take into consideration the means of promoting and further encouraging the growth and exportation of hemp.

The House then accordingly resolved itself into Committee to devise the best means for the improving and encouraging the culture of hemp in this Province.

Mr. Speaker left the Chair.

Mr. Clench was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Clench reported a progress, and asked leave to sit again this day.

Leave was accordingly given.

Mr. Solicitor General and Sheriff Macdonell informed the House that agreeable to an Order of this House they had drafted an Address to His Excellency the Lieutenant Governor, which they were ready to submit to the House whenever they shall be pleased to receive the same.

The House then resolved that the said Address be now received and read.

The said Address was then delivered to the Clerk at the Table, and by him read, and is as follows.

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of Upper Canada, and Lieut. Gen. Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. &c.

May it please your Excellency—

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, do most humbly pray that Your Excellency will be pleased to issue your Warrant for the sum of One Hundred and Seventy Four Pounds Fifteen Shillings and Three pence Three Farthings to the Clerk of the House of Assembly, for sundry contingencies and extra copying clerks, and to procure a further supply of stationery for the further purposes of the House of Assembly. And that Your Excellency will be also pleased to issue your warrant to the Clerk of the Legislative Council for the sum of Fifteen Pounds for stationery for the ensuing Session of Parliament. And that Your Excellency will be further pleased to issue your Warrant to the Usher of the Black Rod for the sum of Ninety Three Pounds Sixteen Shillings and Sixpence Three Farthings for contingencies and disbursements for the Legislative Council, which we, the Commons of Upper Canada will make good to your Excellency in the next Session of Parliament.

Commons House of Assembly

4th March 1803.



Which address was approved of and signed by Mr. Speaker.

Mr. Sheriff Macdonell, seconded by Capt. Elliott, moved that Messrs Rogers and Washburn be a Committee to wait on His Excellency to know at what time he will be pleased to receive the Address.

Ordered accordingly.

Messrs. Ferguson and Thompson reported that agreeable to the resolution of this House they had drafted an Address to His Excellency the Lieutenant Governor, which they were ready to submit to the House whenever they shall be pleased to receive the same.

Resolved, That the said Address be now received.

Which Address was then read, approved, and signed by Mr. Speaker, and is as follows.

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieut. Gen. Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. &c. &c.

May it please Your Excellency,

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, having resolved that an humble Address be presented to Your Excellency, praying that a sum of money not exceeding Five Hundred Pounds be applied out of the unappropriated funds which now are in the Provincial Treasury, or may in the course of the present year be received into the same, for the purpose of opening and keeping in repair Roads, and erecting Bridges in this Province.

We therefore pray that it may please Your Excellency favorably to approve of this resolution of the Commons, and that Your Excellency will be pleased to cause the same to be carried into effect as Your Excellency in your discretion shall see fit, and which sum the Commons will make good during the next session of Parliament.

Commons House of Assembly,

4th March 1803.

On motion of Mr. Ferguson, seconded by Mr. Macdonell of York, Messrs Rogers and Washburn were ordered to wait upon His Excellency to know when he will be pleased to receive the said Address.

Mr. Macdonell of York, seconded by Mr. Swayzie, moved that an humble Address be presented to His Excellency the Lieutenant Governor, praying that he may be pleased to issue his Warrant for one hundred pounds to the Commissioners appointed, or to be appointed by him, for the purpose of purchasing hemp seed and distributing the same gratis, which sum this House will make good the next Session of Parliament.

On the question being put a division ensued, the names being called for they were taken down, and are as followeth.

## YEAS

MESSRS SH'FF MACDONELL  
 MACDONELL (York)  
 MACDONELL (Glen)  
 SWAYZIE  
 McCRAE  
 WASHBURN

## NAYS

MESSRS THOMPSON  
 ROGERS  
 FERGUSON  
 ELLIOTT  
 SOLICITOR GEN.  
 CLENCH

The House being divided, Mr. Speaker gave his vote against the Address being presented to His Excellency the Lieutenant Governor.

On motion of Mr. Swayzie, seconded by Capt. Elliott, the House adjourned.

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*Saturday, 5th March 1803.*

Prayers were read.

Messrs Rogers and Washburn, the Messengers named by this House to wait upon His Excellency the Lieutenant Governor to know at what time he would be pleased to receive the two Addresses of this House, reported that he was pleased to appoint this forenoon at ten o'clock.

Mr. Sheriff Macdonell moved, seconded by Capt. Elliott, that Messrs. Rogers and Washburn be a Committee to wait on His Excellency with the Address praying that a Warrant may issue for the contingent accounts of the Legislative Council and House of Assembly, as well as the Address praying that His Excellency will lay out certain sums for the making and repairing Roads and Bridges.

Ordered accordingly.

Mr. Solicitor General moved, seconded by Mr. Clench, That the House do now resolve that the absence of so many Members from their duty in the present parliament has been the means of much delay in the Public business. This House does therefore, previously to its prorogation, think it necessary to express its surprise at, and disapprobation of the neglect of so many Members in not attending their public duty,—and that the names of the Members present be now inserted in the Journals.

Accordingly the names of the Members present were taken down and are as follows, viz.

MR. SPEAKER

MESSRS WASHBURN

MACDONELL (York)

SH'FF MACDONELL

MACDONELL (Glen)

ELLIOTT

SOLICITOR GEN.

McCRAE

SWAYZIE

ROGERS

FERGUSON

THOMPSON

CLENCH

Mr. Solicitor General then moved, seconded by Mr. Clench, That the Clerk of this House do provide six complete copies of the Laws of this Province before the next Session, and that he cause the same to be bound for the use of this House.

Ordered accordingly.

Messrs. Rogers and Washburn reported that in obedience to the Order of this House they had presented the two Addresses of this House, voted yesterday, to His Excellency the Lieutenant Governor, who was pleased to return the following answer to them.

Gentlemen,

I assent to the Address of the House of Assembly for issuing my Warrant for the sum of One Hundred and Seventy four Pounds Fifteen Shillings and Three pence Three farthings to the Clerk of the House of Assembly, for sundry contingencies and extra Copying Clerks; and to procure a further supply of stationery for the future purposes of the House of Assembly, and also for issuing my warrant to the Clerk of the Legislative Council for the sum of Fifteen Pounds, for stationery for the present Session, and Twenty Pounds, for stationery for the ensuing Session; and also for issuing my Warrant to the Usher of the Black Rod for the sum of ninety-three Pounds, Sixteen Shillings and Six pence three farthings, for contingencies and disbursements for the Legislative Council, and shall forthwith issue such Warrants accordingly.

5th March, 1803.

Gentlemen,

I should feel happy in assenting to the Address of the House of Assembly for applying a sum not exceeding Five Hundred Pounds out of the unappropriated funds of the Province, for the purpose of opening and keeping in repair Roads and Bridges; provided the urgency of the occasion induced an indispensable necessity for adopting such a measure without delay, but I conceive great advantages are to be derived from further consideration, particularly as I do not possess sufficient local knowledge of the subject referred to by the Address; and I also think it expedient that unless upon the most pressing and urgent necessity, or where small sums are in question, Parliamentary usage and the true spirit of our constitution render the concurrence of every branch of the Legislature essentially necessary to the expenditure of the Revenue of the Province.

5th March 1803.

Mr. Solicitor General moved, seconded by Mr. Rogers, that Mr. Speaker, be authorized to procure one large and elegant printing of His Majesty's Arms, for the Legislative Council Chamber, and one for the House of Assembly.

Which was ordered accordingly.

Mr. Macdonell of York moved, seconded by Mr. Washburn, that an humble Address be presented to His Excellency the Lieutenant Governor, which he read in his place, and is as follows, viz.

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General Commanding His Majesty's Forces in Upper and Lower Canada, &c., &c., &c.

May it please Your Excellency,

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament Assembled, have taken this solemn occasion of humbly soliciting the continuance of Your Excellency's countenance and favor in behalf of that great object of our present hopes and inexhaustible source of our future wealth, the culture and exportation of hemp.



We submit to Your Excellency with due respect and deference that in several parts of this Province small parcels of hemp have been already raised and dressed for market, and, from the preparations making in general throughout the Province, that a considerable quantity will be raised for sale in the course of next autumn; but, may it please Your Excellency, the laudable attempt to render hemp a staple produce of this Province has, like all undertakings in their infancy, a difficulty of procuring purchasers who will advance the cash at a fair price, and export the commodity under the present circumstances of uncertainty as to profit or loss. Should it remain upon the hands of the raisers for want of buyers, the project will receive a check which it will have difficulty in surviving. We therefore presume to look with confidence to Your Excellency's fostering care, and humbly pray that it may please Your Excellency to cause to be advanced by way of loan upon the credit of this Province so much money as may be necessary to enable such Commissioners as it may please Your Excellency to appoint in different parts of this Province to buy up at such price and prices as Your Excellency may be pleased to stipulate all hemp ready and fit for the English market.

And, founded upon the experience we have had of Your Excellency's care and solicitude to render our feeble attempts to improve our internal resources, we hesitate not to hope that Your Excellency will further take orders that such hemp so to be purchased shall from time to time be sent to the London market at the risk of this Province, and there be sold for its benefit, having been first offered at His Majesty's Navy Board for such price as the Commissioners thereof may be disposed to allow.

And all such sum or sums of money as may remain in advance or be sunk by means of the promises we will make good to Your Excellency during the next Session of Parliament.

On the question being put, shall the Address as now read be presented to His Excellency the Lieutenant Governor, a division ensued, the names being called for were taken down, and are as follows, viz:—

## YEAS

## MESSRS WASHBURN

MACDONELL (York)  
SH'FF MACDONELL  
MACDONELL (Glen)  
ELLIOTT  
McCRAE  
SWAYZIE

## NAYS

## MESSRS ROGERS

FERGUSON  
THOMPSON  
CLENCH  
SOLICITOR GEN.

Carried in the affirmative by a majority of two for presenting the Address.

Mr. Solicitor General moved, seconded by Mr. Rogers, that after the word "hemp" in the fifteenth line the whole of the remainder of the Address be expunged, and the following be inserted in its place. "We therefore humbly pray that Your Excellency will be pleased to advance out of the unappropriated fund in the Provincial Treasury a sum not exceeding———, to be disposed of by Your Excellency in such manner as Your Excellency shall think proper to direct in encouraging the culture and exportation of hemp. And the Commons will make good the same in the ensuing Session of Parliament.

A division thereupon took place, the names were ordered to be taken down, and are as follows, viz.

## YEAS

MESSRS SOL'R GENERAL  
THOMPSON  
ELLIOTT  
ROGERS  
McCRAE  
CLENCH  
FERGUSON

## NAYS

MESSRS SH'FF MACDONELL  
MACDONELL (Glen)  
SWAYZIE

Carried in the affirmative by a majority of four, and ordered accordingly.

Mr. Solicitor General then moved, seconded by Mr. McCrae, that the blank be filled up with the words "two hundred and fifty pounds."

Mr. Ferguson then moved in amendment, seconded by Mr. Clench, that after the words "with the words" the remainder be expunged, and in lieu thereof insert the word "one hundred pounds."

On which motion or amendment no decision took place.

Mr. Macdonell of York then had permission to withdraw the draft of the Address voted this day to His Excellency the Lieutenant Governor.

Which by order of Mr. Speaker the Clerk returned to him.

Then a Member, getting up in his place, requested that all the proceedings might be continued upon the minutes as they took place in the House.

Which was ordered,—and then Mr. Macdonell of York delivered in to the Clerk at the Table the draft of an Address which was voted to have been presented to His Excellency as herein before set forth.

Then Mr. Macdonell of York, moved, seconded by Mr. Swayzie, that a Message be sent to the Legislative Council informing them that this House, being desirous of holding up further encouragement to the raisers of hemp, request a conference on the subject; and are ready to appoint managers to consult with the managers on their part on the best means of obtaining that laudable end.

Ordered accordingly.

Mr. Macdonell of York moved, seconded by Mr. Swayzie, that Sheriff Macdonell and Captain Elliott carry up a Message to the Legislative Council to request a conference with them.

A division thereupon took place, the names being called for, they were taken down, and are as follows, viz.

## YEAS

MESSRS. SWAYZIE  
WASHBURN  
MACDONELL (York)  
MACDONELL (Glen)  
SH'FF MACDONELL  
ELLIOTT  
McCRAE

## NAYS

MESSRS. FERGUSON  
CLENCH  
SOL'R GENERAL  
THOMPSON  
ROGERS

Carried in the affirmative by a majority of two, and ordered accordingly.

Then Messrs. Sheriff Macdonell and Elliott reported that they had been up at the Legislative Council and did inform them that this House requested a conference with them this day.

A Message from the Honorable the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am directed to inform this Honorable House that the Legislative Council have acceded to the request of this House for a conference with them this day, and that they have appointed managers on their part to confer with the managers on the part of this House.

And then withdrew.

Mr. Macdonell of York moved, seconded by Mr. Macdonell of Glengarry, that Mr. Solicitor General, Captain Elliott, and Mr. Sheriff Macdonell be managers to confer with the managers named by the Legislative Council, on the subject of further encouraging the culture and exportation of hemp.

Then Mr. Ferguson, seconded by Mr. Swayzie, moved in amendment that Messrs. Thompson, Rogers, and Washburn be added to the Managers to confer with the managers on the part of the legislative Council on the subject of the culture of hemp.

On which motion or amendment no decision had been given.

Then James Clerk, Esquire, Clerk to the Legislative Council, came to the Bar, and there did inform Mr. Speaker that His Excellency the Lieutenant Governor was expected immediately in the Legislative Council Chamber.

A Message from His Excellency the Lieutenant Governor by Mr. George Law, Gentleman Usher of the Black Rod.

Mr. Speaker,

I am commanded by His Excellency the Lieutenant Governor to acquaint this Honorable House that it is His Excellency's pleasure that the Members thereof do forthwith attend upon His Excellency in the Legislative Council Chamber.

Accordingly Mr. Speaker with the House went up to attend His Excellency the Lieutenant Governor, where His Excellency was pleased to give, in His Majesty's name the Royal assent to the following Public and Private Bills.

An Act to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province to license practitioners in the Law.

An Act to declare the rights of certain grantees of waste Lands of the Crown.

An Act to enable married women having Real Estate more conveniently to alien and convey the same.

An Act to encourage the destroying of wolves and bears in different parts of this Province.

An Act to repeal for a limited time part of an Act passed in the thirty-fourth year of His Majesty's Reign, entitled "An Act for the regulation of Juries."

An Act to authorize the Attornies now practising or hereafter to be duly admitted to practice to take such number of Clerks therein mentioned.

An Act to extend the provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting Horned Cattle, Horses, Sheep and Swine to run at large.

His Excellency was pleased to withhold His Majesty's assent from the following Bills.



An Act to declare valid and effectual four several fines levied or intended to be levied in His Majesty's Court of King's Bench of this Province.

Mr. Speaker then said,

May it please Your Excellency to approve of the four Bills which the House of Assembly, with the concurrence of the Legislative Council, have passed for aid to His Majesty.

An Act for the better securing to His Majesty, his Heirs and Successors, the due collection and receipt of certain duties therein mentioned.

An Act to explain and amend an Act passed in the forty first year of His Majesty's Reign, entitled "An Act for granting to His Majesty, his Heirs and Successors, to and for the uses of this Province, the like duties on Goods and Merchandize brought into this Province from the United States of America as are now paid on Goods and Merchandize imported from Great Britain and other places, and to provide more effectually for the collection and payment of duties on Goods and Merchandize coming from the United States of America into this Province, and also to establish a fund for the erecting and repairing of Light Houses."

An Act particularizing the property, real and personal, which during the continuance thereof shall be subject to assessments and rates, and fixing the several valuations at which each and every particular of such property shall be rated and assessed.

An Act the more conveniently to collect the compensation to the Members of the House of Assembly for their attendance in their duty in Parliament, and to repeal part of an Act passed in the Parliament of this Province in the thirty third year of His Majesty's Reign, entitled "An Act to authorize and direct the laying and collecting of assessments and rates within this Province, and to provide for the payment of wages to the House of Assembly."

To which His Excellency was pleased to give the Royal assent in His Majesty's name.

His Excellency was then pleased to make the following Speech to both Houses, *videlicet*.

Honorable Gentlemen of the Legislative Council

and

Gentlemen of the House of Assembly.

After so very long an attendance upon Your Parliamentary duty it becomes necessary and expedient to close the present Session. I trust that when the laws which you have been occupied in framing shall be published His Majesty's subjects of Upper Canada will form a due estimation of the importance of the different topics which have principally engaged your attention in the discharge of your public duties.

A very short experience has evinced that the industry which has already been exerted in the export trade of the country, has, even in the present infant state of the Province, produced advantages beyond the most sanguine expectations, and no doubt can be entertained but that a steady perseverance in that industry and an assiduous attention to the facilitating the mode of transport to the Lower Province, will eventually and rapidly raise this part of His Majesty's Dominions to a state of opulence and importance; and I trust that the culture and exportation of hemp will be found to be among the objects most worthy your future attention.

I cannot dismiss you without strongly recommending and urging to you the necessity of promoting by your own example in your respective Counties and Dis-

tricts habits of sobriety and morality as the surest foundation of the future welfare of the Province, for whatever sound and wholesome laws may be passed for the Government of a people the wisdom and experience of ages has taught that a virtuous and religious example in the higher order of society is indispensably essential to the giving due effect to those laws and the introduction of good order and decorum among the great body of the people.

After which the Honorable Speaker of the Legislative Council said :

Gentlemen of the Legislative Council

and

Gentlemen of the House of Assembly.

It is His Excellency the Lieutenant Governor's will and pleasure that this Provincial Parliament be prorogued until the fifteenth day of April next ensuing, to be then here held, and this Provincial Parliament is accordingly prorogued until the fifteenth day of April next.

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I do hereby certify that the above and what is written on the foregoing pages is a true copy of the Journals of the House of Assembly in Upper Canada, being the third Provincial Parliament, assembled at York on the twenty-seventh day of January last, agreeable to the Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of Upper Canada and Lieutenant General Commanding His Majesty's Forces in Upper and Lower Canada, and prorogued by His Excellency the fifth day of March last.

DONALD MACLEAN,

York, Upper Canada,  
15th April, 1803.

Cl'k Ass'y.

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[Journal of the House of Assembly of Upper Canada in 1803.

Certified to be a true copy.

George Mayer,

Librarian and Keeper of the Records, Colonial Office, 18th July, 1855.]

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Journal  
OF THE  
HOUSE OF ASSEMBLY  
OF THE  
Province of Upper Canada  
1804.

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Journal  
OF THE  
HOUSE OF ASSEMBLY  
OF THE  
Province of Upper Canada,  
1804.

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PETER HUNTER, Lieutenant Governor.

PROCLAMATION

GEORGE THE THIRD, by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith.

To all our loving subjects GREETING.

WHEREAS by our proclamation bearing date the fifth day of March, we thought fit, by and with the advice of our Executive Council, to prorogue the provincial Parliament until the fifteenth day of this present month of April, at which time in our Town of York you were held and constrained to appear:—

But we taking into our Royal consideration the ease and convenience of our loving subjects have thought fit, by and with the advice of our Executive Council, to relieve you, and each of you, of your attendance at the time aforesaid, hereby convoking, and by these presents enjoining you, and each of you, that on the 18th. day of May next ensuing you meet us in our Provincial Parliament in our Town of York, there to take into consideration the state and welfare of our Province of Upper Canada, and therein to do as may seem necessary,—herein fail not.

In testimony whereof we have caused these our letters to be made patent, and the Great Seal of our said Province to be hereunto affixed.

Witness our trusty and well beloved Peter Hunter, Esquire, our Lieutenant Governor of our said Province, and Lieutenant General commanding our Forces in our Provinces of Upper and Lower Canada at York this eleventh day of April in the year of Our Lord one thousand eight hundred and three, and forty third of our Reign.

P. H.

W. Jarvis, Sec'y.

By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c. &c. &c. dated at York the eleventh day of April one thousand eight hundred and three, the meeting of the Legislative Council and House of Assembly stands prorogued till the eighteenth day of May one thousand eight hundred and three.

By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c. &c. &c. dated at York the fourteenth day of May, one thousand eight hundred and three, the meeting of the Legislative Council and House of Assembly stands prorogued to the twenty fifth day of June, one thousand eight hundred and three.

By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c. &c., dated at York the twenty first day of June, one thousand eight hundred and three, the meeting of the Legislative Council and House of Assembly stands prorogued to the third day of August, one thousand eight hundred and three.

By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. &c. dated at York the First day of August one thousand eight hundred and three, the meeting of the Legislative Council and House of Assembly stands prorogued to the tenth day of September one thousand eight hundred and three.

By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of our Province of Upper Canada, and Lieutenant General commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. &c., dated at York the third day of September one thousand eight hundred and three, the meeting of the Legislative Council and House of Assembly stands prorogued to the eighteenth day of October one thousand eight hundred and three.

By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c. &c. &c., dated at York the Tenth day of October one thousand eight hundred and three, the meeting of the Legislative Council and House of Assembly stands prorogued to the twenty-fifth day of November, one thousand eight hundred and three.

By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. &c. dated at York the eighteenth day of November one thousand eight hundred and three, the meeting of the Legislative Council and House of Assembly stands prorogued to the fifth day of January one thousand eight hundred and four.

PETER HUNTER, Lieutenant Governor

### PROCLAMATION

George the Third, by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith.

To all Our Loving Subjects GREETING.

WHEREAS by our Proclamation bearing date the eighteenth day of November last, we thought fit, by and with the advice of Our Executive Council to prorogue Our Provincial Parliament of Upper Canada until the fifth day of January one thousand eight hundred and four, at which time, in our Town of York, you were held and constrained to appear; But we taking into our Royal consideration



the ease and convenience of our loving subjects have thought fit, by and with the advice of our Executive Council, to relieve you, and each of you, of your attendance at the time aforesaid, hereby convoking, and by these presents enjoining you, and each of you, that on the first day of February next, which will be in the year of our Lord one thousand eight hundred and four, you do meet us in our Provincial Parliament in the Town of York, for the actual dispatch of Public Business, and to take into consideration the state and defence of our Province of Upper Canada, and therein to do as may seem necessary,—Herein fail not.

In testimony whereof we have caused these our Letters to be made patent and the Great Seal of the said Province hereunto affixed. Witness our Trusty and well beloved Peter Hunter, Esquire, our Lieutenant General commanding our Forces in our Provinces of Upper and Lower Canada, at York, this twenty sixth day of December in the Year of Our Lord one thousand eight hundred and three, and in the forty fourth year of Our Reign.

P. H.

William Jarvis, Sec.

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## HOUSE OF ASSEMBLY, UPPER CANADA.

York, Wednesday, 1st February, 1804.

At the Fourth Session of the Third Parliament of Upper Canada, begun and held in the Town of York on Wednesday the first day of February, in the forty fourth year of the Reign of our Sovereign Lord George the Third, by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith and so forth, and in the year of Our Lord one thousand eight hundred and four.

His Excellency the Lieutenant Governor having prorogued the meeting of Parliament until the fifteenth day of April, one thousand eight hundred and three, and by his proclamation annexed having further prorogued the same from time to time until this day,

The House being met,

A Message by Mr. George Law, Gentleman Usher of the Black Rod.

Mr. Speaker:—

It is His Excellency the Lieutenant Governor's pleasure that this Honorable House do immediately attend him in the Honorable Legislative Council Chamber.

The House went up accordingly, and being returned, the names of the Members present were taken down, and are as follows.

MR. SPEAKER	MESSRS. McCRAE
MESSRS. MACDONELL (York)	FERGUSON
SHERIFF MACDONELL	NELLES
ELLIOTT	SWAYZIE

Mr. Speaker adjourned the House for want of a quorum.

*Thursday, 2nd. February, 1804.*

Mr. Speaker took the Chair.

Members present.

MESSRS. McCRAE

MESSRS. SHERIFF MACDONELL

ELLIOTT

MACDONELL (York)

FERGUSON

NELLES

Mr. Speaker adjourned the House for want of a quorum.

*Friday, 3rd. February, 1804.*

Present:

MR. SPEAKER

MESSRS. ELLIOTT

MESSRS. FERGUSON

McCRAE

MACDONELL (York)

WASHBURN

SHERIFF MACDONELL

SWAYZIE

At half after ten o'clock of the forenoon Mr. Speaker adjourned the House for want of a quorum.

*Saturday, 4th. February, 1804.*

Present:

MR. SPEAKER

MESSRS. McCRAE

MESSRS. FERGUSON

WASHBURN

SWAYZIE

NELLES

SHERIFF MACDONELL

ELLIOTT

At eleven o'clock in the forenoon Mr. Speaker adjourned the House for want of a quorum until Monday next at twelve o'clock noon.

*Monday, 6th. February, 1804.*

Present:

MR. SPEAKER

MESSRS. WASHBURN

MESSRS. FERGUSON

McCRAE

SHERIFF MACDONELL

CLENCH

ELLIOTT

SWAYZIE

NELLES

At half past twelve o'clock, p.m. Mr. Speaker adjourned the House for want of a quorum.

*Tuesday, 7th. February, 1804.*

Present:

MR. SPEAKER	MESSRS. FERGUSON
MESSRS. NELLES	MACDONELL (York)
SWAYZIE	CLENCH
WASHBURN	McCRAE
SHERIFF MACDONELL	ELLIOTT

At eleven o'clock Mr. Speaker adjourned the house until ten o'clock to-morrow in the forenoon.

*Wednesday, 8th. February, 1804.*

Prayers were read.

Mr. Speaker reported that the House had attended His Excellency the Lieutenant Governor in the Legislative Council Chamber on Wednesday, the first instant, when His Excellency had been pleased to open the present Session by a speech to both Houses, and that to prevent any mistakes he had obtained for the information of the House a copy of His Excellency's Speech, which was read as follows.

Honorable Gentlemen of the Legislative Council and  
Gentlemen of the House of Assembly.

After the recess which has taken place since I last saw you here it became necessary I should call you together, and it is with concern that I have to announce to you that hostilities are again being renewed between our Parent Country and the French Republic.

Among the first objects I would recommend to your deliberation, is the security of this part of His Majesty's Dominions, by some wise and salutary law, calculated to protect the King's Government against aliens, and to afford His Majesty's subjects in this Province all the internal security which can be derived from timely and well concerted legislative precaution.

Gentlemen of the House of Assembly,

I shall direct the Public Accounts to be laid before you, and I have no doubt you will bestow on them that attention which the nature of the subject requires.

Honorable Gentlemen of the Legislative Council and  
Gentlemen of the House of Assembly.

The dangerous state of the public records, and evidences of title to all the landed property of the Province, from the want of proper places of security for their deposit, certainly calls for redress; and I would recommend to you to take into your consideration the appropriation of a fund for the erection of proper buildings in which reasonable security may be afforded to these very valuable documents. It is unnecessary for me to enter upon any comment on the irretrievable calamity and evil which would arise to the King's subjects if, by fire



or otherwise, any serious accident should befall these records. You cannot, therefore, too speedily interpose, and adopt such means of security as shall be found best calculated to promote this desirable object.

The situation of the present Public Roads, and the opening of new roads in the particular parts of the Province to which there is as yet very difficult access, is also a subject well entitled to your attention, and you cannot, in my opinion, better employ a reasonable part of the Public Revenue than to facilitate the means of communication between all the different parts of the Province, as a sure step to the increase of our commerce, and the advancement of the general prosperity of the Province.

Upon these and all other topics which may, during the present Session, form the subject matter of your council and discussions, I confidently trust you will use reasonable diligence, and that the result of all your consultations will bear ample testimony of the unshaken loyalty and attachment of this Province to His Majesty and His Government, and will be attended with the most happy and salutary consequences to these parts of His Majesty's Dominions, which though far removed from, are, and ever have been constant objects of his paternal care and protection.

Mr. Sheriff Macdonell, seconded by Mr. Ferguson, moved that the House do now resolve itself into Committee to take His Excellency the Lieutenant Governor's Speech into its consideration.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sheriff Macdonell reported that it is the opinion of the Committee that a Select Committee be appointed to draft an Address to His Excellency the Lieutenant Governor in answer to his Speech.

Which Report was accepted.

Mr. Rogers moved, seconded by Mr. Swayzie, that Mr. Clench, Mr. Sherwood and Mr. Angus Macdonell, be a Committee to draft an Address to His Excellency the Lieutenant Governor, in answer to his Speech.

Ordered accordingly.

Mr. Speaker,

The Clerk of this House has the honor to inform you that the Clerks of the Peace for the different Districts in this Province have made him a return of all the ratable property in their respective Districts in compliance with the eighth section of the Act for the more uniform collecting of Assessments throughout this Province.

Mr. Speaker then ordered the different returns made by the Clerks of the Peace to be laid on the Table for the perusal of the Members, and afterwards to be entered into a book, to be of record in this House.

Mr. Macdonell of York moved, seconded by Captain Elliott, for leave to bring in on Monday next a Bill to appropriate a fund for ascertaining by experiment and trial the expediency and utility of a Provincial Institution, for the purchase and exportation of hemp, the growth of this Province, upon the account and at the risk of the Public.

Leave was accordingly given.

Mr. Ferguson then moved, seconded by Mr. Rogers, that he might be permitted to bring in a Bill on Friday next to explain and amend an Act, passed in

the forty third year of His Majesty's Reign, entitled "An Act for the better securing to His Majesty, his Heirs and Successors, the due collection and receipt of certain duties therein mentioned."

Accordingly leave was granted.

Mr. Speaker,

The Clerk respectfully informs that agreeable to a resolution of this House last Session, that he did apply to the King's Printer for six complete copies of the Statutes of this Province, for use of this Honorable House; and was by him informed that the printing of them was not yet completed, but will be soon.

On motion of Mr. Clench, seconded by Mr. Swazey, the House adjourned.

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*Thursday, 9th. February, 1804.*

Prayers were read.

Mr. Sherwood, from the Committee appointed to draft an Address of thanks to His Excellency the Lieutenant Governor for his Speech to both Houses on opening the present Session, reported that the Committee had prepared an Address accordingly, which he was directed to submit to the House whenever it should be pleased to receive the same.

Ordered, That the Report be now received.

Which Report he read in his place, and then delivered the same in at the Table.

Then, on motion of Mr. Sherwood, seconded by Mr. Nelles, the House resolved itself into Committee to take up the consideration of the answer to His Excellency's Speech to both Houses of Parliament.

Mr. Speaker left the Chair.

Mr. Weager was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Weager reported that the Committee had gone through the draft of an Address to His Excellency the Lieutenant Governor, to which they had made an amendment, which he was directed to report to the House whenever it should be pleased to receive the same.

Ordered, That the Report be now received.

Which Report was accepted, and the Address is as follows:

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of Upper Canada and Lieutenant General commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. &c.

May it please Your Excellency,

We, His Majesty's most dutiful and loyal subjects, the Representatives of Upper Canada in Parliament assembled, beg leave to return to you the thanks of this House for Your Excellency's Speech.

We regret that an implacable and an ambitious enemy has compelled our Most Gracious Sovereign to a renewal of hostilities, in the defence of the safety of his people, and the dignity of his Government; but, relying upon the well known loyalty and valour of His subjects, and the strength of the United Empire, we hope with confidence for a happy termination of the war.

Fully convinced of the good effects to be derived from timely precaution against the insidious designs of hostile aliens, and of the indispensable necessity of assisting by every means in our power to give energy to His Majesty's Government in this Province, we will lose no time in taking these important objects into our consideration, and will cheerfully give aid to make such laws as may best protect the persons, and property of its inhabitants.

By receiving from Your Excellency an account of the receipt of the Provincial Revenues of the Crown we shall be able to deliberate upon such appropriation as may be most beneficial for the community.

The importance of providing safe places of deposit for the public records and evidences of title to the landed property in the colony is fully impressed upon our minds. We are convinced of the very great injury which would probably result from a fire breaking out among the present Archives, and we will readily co-operate with the other branches of the Legislature in making such provision as may guard against every casualty.

We shall willingly lend every possible assistance to facilitate an intercourse in this colony by ameliorating the roads in the different parts of it.

In the discharge of our Legislative duties we will observe proper diligence, and we pledge ourselves that the same loyalty and attachment to His Majesty, and to His Government, which have ever animated us, shall still pervade all our actions.

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Mr. Rogers moved, seconded by Mr. Nelles, that the draft of the Address as amended in Committee be engrossed, and that Messengers be appointed to wait upon His Excellency the Lieutenant Governor to know when he will be pleased to receive the Address of this House in answer to His Excellency's Speech.

Ordered accordingly.

Mr. Sherwood then moved, seconded by Mr. Ferguson, that Mr. Rogers, Mr. Nelles, Mr. Sheriff Macdonell and Captain Elliott be messengers to wait upon His Excellency the Lieutenant Governor to know when His Excellency will be pleased to receive this House with its Address.

Ordered accordingly.

Mr. Sherwood again moved, seconded by Mr. Ferguson, for leave to bring in a Bill on Saturday next to extend the jurisdiction and alter the practice of the several District Courts throughout this Province.

Leave was accordingly granted.

The Address to His Excellency the Lieutenant Governor was read as engrossed, passed, and signed by Mr. Speaker.

On motion of Mr. Sherwood, seconded by Mr. Washburn, the House adjourned.

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*Friday, 10th. February, 1804.*

Prayers were read.

Mr. Rogers, accompanied by the other Messengers, reported that in obedience to the Order of the House they had waited upon His Excellency the Lieutenant Governor to know his pleasure when he would receive this House with its Address, and that His Excellency was pleased to appoint this day at twelve o'clock.



Agreeable to the Order of the Day was read a Bill to explain and amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act for the better securing to His Majesty, His Heirs and Successors, the due collection and receipt of certain duties therein mentioned."

On motion of Mr. Ferguson, seconded by Mr. Clench, Ordered, That the said Bill be read a second time to-morrow.

At the time appointed Mr. Speaker and the House went up with the Address of this House to His Excellency the Lieutenant Governor.

And being returned, Mr. Speaker reported that the House had attended upon His Excellency with its Address, to which His Excellency had been pleased to return the following answer.

Gentlemen of the House of Assembly,

This dutiful and loyal Address affords me great satisfaction, and your assurance of co-operating in the enacting of laws calculated to give energy to His Majesty's Government in this Colony are particularly gratifying to me.

I confidently rely that your assiduous attention to the various important objects which may occupy your councils will tend to advance the prosperity and happiness of His Majesty's subjects in this Province, and bear testimony of your zeal and dutiful attachment to His Majesty and our happy constitution.

On motion of Mr. Swayzie, seconded by Captain Elliott, the House adjourned.

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*Saturday, 11th. February, 1804.*

Prayers were read.

The Clerk informed Mr. Speaker that the Honorable John McGill, Esquire, and Thomas Scott, Esquire, Attorney General, two of the Commissioners appointed by His Excellency the Lieutenant Governor by Proclamation dated the second day of March, one thousand eight hundred and three, by virtue of the authority vested in him by a resolution of this House dated the sixth day of July, one thousand eight hundred and one, did send him, to be laid before this House, accounts, accompanied by vouchers, for moneys paid by them for the purchase of hemp seed, and premiums and bounties by them paid to deserving cultivators of hemp.

Which accounts and vouchers were ordered to lie on the table.

Mr. Macdonell of York moved, seconded by Mr. Sheriff Macdonell, for leave to bring in on Wednesday next a Bill for restoring the name of Toronto to the Town, Township, and County, lately changed into that of York.

Which passed in the negative.

Read for the second time, a Bill to explain and amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act for the better securing to His Majesty, His Heirs and Successors, the due collection and receipt of certain duties therein mentioned."

On motion of Mr. Ferguson, seconded by Mr. Swayzie, the House resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Sherwood was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Sherwood reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which amendments he was directed to submit to the House whenever it shall be pleased to receive the same.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this Honorable House that they have passed an Act for the exemplary punishment of all and every person or persons who shall seduce or attempt to aid or assist any soldier to desert His Majesty's service, or who shall harbour, conceal, receive, or assist any deserter from such service.

And he then withdrew.

Which Bill was read the first time by order of the House.

Mr. Rogers moved, seconded by Mr. Swayzie, that the said Bill be read a second time on Monday next.

Ordered accordingly.

Then Mr. Rogers moved, seconded by Mr. Clench, that the Report of the Committee of the Whole House on the Bill entitled "An Act to amend an Act passed in the forty third year of His Majesty's Reign for the better securing the due collection of certain duties therein mentioned" be not accepted, but that the said Bill be now recommitted.

The House accordingly resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Sherwood again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sherwood reported progress, and was directed to ask for leave to sit again on Monday next.

Leave was accordingly given.

An Act to alter the practice and extend the jurisdiction of the several District Courts throughout this Province, was read for the first time.

On motion of Mr. Clench, seconded by Mr. McCrae, the House adjourned to Monday next.

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*Monday, 13th. February, 1804.*

Prayers were read.

Agreeable to the Order of the Day was read a second time, a Bill entitled "An Act for the exemplary punishments of all persons aiding or assisting soldiers to desert his Majesty's service."

Mr. Clench moved, seconded by Mr. Swayzie, for leave to bring in on Wednesday a Bill to regulate the fees taken by the Clerk of the Crown, and also to establish Fees to be taken by the Clerks of the Peace, and for ascertaining by whom the Sheriff's Fees of Poundage and costs of levying shall be paid.

Leave was accordingly granted.

Then Mr. Clench moved, seconded by Mr. Swayzie, for leave to bring in on Thursday a Bill to authorize Justices of the Peace to hold to bail Vagrant and Itinerant persons for any sum of which the Commissioners of the Court of Requests have cognizance.

Accordingly leave was given.

On motion of Mr. Washburn, seconded by Mr. McCrae, the House resolved itself into Committee to go into the consideration of an Act to prevent desertion from His Majesty's service.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which amendments he was directed to report to the House whenever it shall be pleased to receive the same.

The House then resolved that the said Report be now received and accepted.

Mr. Washburn moved, seconded by Mr. Swayzie, that the amendments made to this Bill be engrossed, and that the said Bill be read a third time to-morrow.

Which was ordered accordingly.

Was read the first time, A Bill entitled "An Act to appropriate a fund for ascertaining by experiment and trial the expedience and utility of a Provincial institution for the purchase and exportation of hemp, the growth of this Province, upon the account and risk of the public."

A Member in explanation of a Bill before the House was called to order—the sense of the House was taken by Mr. Speaker.

The Member was afterwards permitted to proceed.

Afterwards Mr. McCrae moved, seconded by Mr. Washburn, that the Bill entitled "An Act to appropriate a fund for ascertaining by experiment and trial the expediency and utility of a Provincial institution for the purchase and exportation of Hemp, the growth of this Province, upon the account and risk of the public," be read a second time on Thursday next.

Mr. Rogers moved, seconded by Mr. Sherwood, in amendment to Mr. McCrae's motion, That after the word "time" expunge the rest, and in lieu thereof insert "to-morrow."

Ordered accordingly.

On motion of Mr. Ferguson, seconded by Mr. Swayzie, the House resolved itself into Committee to go into the consideration of the Bill entitled "An Act to explain and amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act for the better securing to His Majesty, his Heirs and Successors, the due collection and receipt of certain duties therein mentioned."

Mr. Speaker left the Chair.

Mr. Sherwood was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sherwood reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments.

Which Report was accepted.

Mr. Clench moved, seconded by Mr. McCrae, that the said Bill be engrossed and read a third time to-morrow.

Ordered accordingly.

On motion of Mr. Swayzie, seconded by Mr. Clench, the House adjourned.



*Tuesday, 14th. February, 1804.*

Prayers were read.

Mr. Washburn moved, seconded by Mr. Swayzie, for leave to bring in on Saturday next a Bill to extend the jurisdiction of an Act passed in the forty first year of His Majesty's Reign, entitled "An Act to authorize the Governor, Lieutenant Governor or person administering the Government, to appoint inspectors of Flour, Pot and Pearl Ashes within this Province."

Leave was accordingly granted.

Agreeable to leave given, Mr. Rogers brought up a petition from David McGregor Rogers, Esquire, which was ordered to lie on the Table.

By permission of the House, Mr. Swayzie brought up a petition from sundry Millers in this Province, and also a petition from the Inhabitants of the First Riding of the County of Lincoln, and West Riding of York, which petitions were ordered to lie on the Table.

On motion of Mr. McCrae, seconded by Captain Elliott, leave was given to bring in a Bill on Friday to restrain the custom of rams running at large, from the first of August, to the last of November, in this Province.

By permission of the House Mr. Rogers brought up the petition of A. Macdonell, Esquire, which was ordered to lie on the Table.

Then was read a third time as amended a Bill sent down from the Legislative Council, for the exemplary punishment of persons aiding or assisting soldiers to desert His Majesty's Service, which Bill passed as amended, and was signed by Mr. Speaker.

Mr. Clench, seconded by Mr. Nelles, moved that Mr. Sheriff Macdonell and Mr. Weager do carry the said Bill as amended to the Legislative Council and request their concurrence in the amendments.

Ordered accordingly.

Agreeable to leave given, Mr. Sheriff Macdonell brought up the petition of sundry Inhabitants of the County of Glengarry, which was ordered to lie on the Table.

Mr. Sheriff Macdonell, one of the Messengers named to carry up to the Honorable the Legislative Council a Bill for the exemplary punishment of persons aiding or assisting soldiers to desert His Majesty's Service, reported that they had carried up the said Bill.

Agreeable to the Order of the Day was read a third time, the engrossed Bill to explain and amend an Act, passed in the forty third year of His Majesty's Reign, entitled "An Act for the better securing to His Majesty, His Heirs and Successors, the due collection and receipt of certain duties therein mentioned; which having passed was signed by Mr. Speaker.

Mr. Ferguson, seconded by Mr. Sheriff Macdonell, moved that Mr. Rogers and Mr. Nelles do carry up the said Bill to the Legislative Council, and request their concurrence thereto.

Ordered accordingly.

Mr. Rogers, first named to carry up the said Bill to the Honorable the Legislative Council, reported that they had carried up the said Bill and did request their concurrence.

The Bill for the appropriation of a fund to ascertain by experiment and trial the expediency and utility of a Provincial Institution for the purchase and exportation of Hemp, the growth of this Province, upon the account, and at the risk of the Public, was read a second time.

On motion of Mr. Macdonell of York, seconded by Capt. Elliott, the House resolved itself into Committee to take up the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported a progress, and asked leave to sit again.

Leave was accordingly granted.

On motion of Mr. Washburn, seconded by Mr. Rogers, the House adjourned.

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*Wednesday, 15th. February, 1804.*

Prayers were read.

Mr. Sherwood, seconded by Mr. Ferguson, moved that the fifth Rule of this House be dispensed with, and that leave be given him to bring in a Bill to-day to make provisions for printing all the Provincial Statutes.

Leave was accordingly granted, and the said fifth Rule of this House was dispensed with.

The said Bill was read for the first time.

Mr. Washburn moved, seconded by Mr. Swayzie, for leave to bring in to-morrow a Bill to lay and collect a duty on all Billiard Tables within this Province.

Accordingly leave was given.

Mr. Clench, seconded by Mr. Rogers moved, that so much of the Order of the Day as relates to bringing in a Bill to regulate the fees to be taken by the Clerk of the Crown and Pleas, to establish Fees to be taken by the Clerks of the Peace, and to ascertain the manner of levying Sheriff's fees and poundage &c. be discharged, and that leave be granted to bring in the Bill to-morrow.

Ordered accordingly.

Mr. Ferguson then moved, seconded by Mr. Rogers, That the second Rule of this House be dispensed with, and that the Bill to make provisions for printing the Provincial Statutes be read a second time this day.

The same was ordered accordingly.

On motion of Mr. Rogers, seconded by Mr. Sherwood, the House resolved itself into Committee to take into consideration the Bill to make provisions for printing all the Provincial Statutes.

Mr. Speaker left the Chair.

Mr. Washburn was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported the said Bill without any amendment.

Mr. Clench then moved, seconded by Mr. Macdonell of York, That the said Report be not received.

On which a division took place, the names were taken down, and are as follows.

## YEAS.

MESSRS. CLENCH  
MACDONELL (York)

## NAYS.

MESSRS. SHERWOOD  
ELLIOTT  
SHERIFF MACDONELL  
FERGUSON  
NELLES  
WEAGER  
SWAYZIE  
WASHBURN  
McCRAE  
BUELL  
ROGERS

Passed in the negative by a majority of nine, and the Report was received and accepted accordingly.

Mr. Ferguson, seconded by Mr. Sheriff Macdonell, moved that this Bill be engrossed and read a third time to-morrow.

Ordered accordingly.

Then Mr. Sherwood moved, seconded by Capt. Elliott, for leave to bring in a Bill to-morrow for amending the law.

Leave was granted accordingly.

Mr. Macdonell of York, seconded by Mr. Ferguson, moved for leave to bring in a Bill to provide for the appointment of Inspectors of Leather.

Which passed in the negative.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.  
Mr. Speaker,

The Honorable the Legislative Council do request a conference with a Committee of the House of Assembly in that part of their amendments to the Bill for the exemplary punishment of all and every person and persons who shall seduce, or aid or assist or attempt to aid or assist, any soldier to desert His Majesty's Service, or who shall harbour, conceal, receive or assist any deserter from such service, which substitutes additional imprisonment for corporal punishment.

And then withdrew.

Mr. Clench, seconded by Mr. Weager, moved that this House do agree to confer with a Committee of the Honorable the Legislative Council on the said Bill, and that Messrs. Sheriff Macdonell, McCrae, Washburn, Nelles and Macdonell of York be a Committee to confer accordingly, and that the two first names of the said Committee do inform the Legislative Council of the agreement of this House to the proposed conference.

It was so ordered accordingly.

Mr. Rogers moved, seconded by Mr. Sheriff Macdonell, that Mr. Sherwood and Mr. Ferguson be added to the Committee appointed to confer with the Committee of the Honorable the Legislative Council on the amendments made to the said Bill.

A division thereupon took place, the names were ordered to be taken down, and are as follows.



## YEAS.

MESSRS. ROGERS  
SH'FF MACDONELL  
ELLIOTT  
SWAYZIE  
SHERWOOD  
FERGUSON

## NAYS.

MESSRS. MACDONELL (York)  
CLENCH  
WEAGER  
McCRAE  
WASHBURN  
BUELL  
NELLES

The same passed in the negative by a majority of one.

Messrs. Sheriff Macdonell and McCrae reported that in conformity with the directions of the House they had waited upon the Honorable the Legislative Council and informed them that this House had agreed to confer with the Honorable the Legislative Council on the subject matter of amendments made to a Bill entitled "An Act for the exemplary punishment of all and every person or persons who shall seduce, or aid or assist, or attempt to aid or assist, any soldier to desert His Majesty's Service, or who shall harbour, conceal, receive, or assist any deserter from such Service."

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

The Committee appointed by the Honorable the Legislative Council to confer with a Committee of the House of Assembly upon the subject of their message sent down to-day, are now ready to hold the said conference in the Council Chamber.

And then he withdrew.

At three o'clock in the afternoon Mr. Speaker adjourned the House for want of a quorum.

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*Thursday, 16th. February, 1804.*

Prayers were read.

Mr. Sheriff Macdonell, from the Committee appointed to confer with a Committee of the Honorable the Legislative Council on the subject matter of amendments to the Bill entitled "An Act for the exemplary punishment of all and every person and persons who shall seduce, or attempt to seduce, or aid or assist, or attempt to aid or assist, any soldier to desert His Majesty's Service, or shall harbour, conceal, receive or assist any Deserter from such Service," reported that in obedience to the commands of this House the Committee had made some progress in the conference, and that they had adjourned the said conference to give them an opportunity of resorting to this House for further instructions.

On motion of Mr. Sherwood, seconded by Capt. Elliott, Resolved, That the Committee which was yesterday appointed to meet a Committee of the Legislative Council be authorized to modify the amendments, subject to the approbation of this House, and limit the duration of the Bill if agreed to.

Read a third time as engrossed, a Bill entitled "An Act for providing for compiling and printing all the Statutes of the several Parliaments of this Province, and to repeal part of an Act passed in the forty first year of His present Majesty, relative to printing Journals."

Mr. Sherwood, seconded by Capt. Elliott, moved that this Bill do pass, and that the title be "An Act to provide for compiling and printing all the Statutes of the several Parliaments of this Province and to repeal part of an Act passed in the forty first year of His present Majesty relative to printing Journals."

The said Bill then passed, and was signed by Mr. Speaker.

Mr. McCrae, seconded by Mr. Sherwood, moved that Mr. Rogers and Mr. Swayzie be Messengers to carry up the said Bill to the Legislative Council and to request their concurrence thereto.

Ordered accordingly.

Read the first time, a Bill entitled "An Act to regulate the fees to be taken by the Clerk of the Crown and Pleas, to establish Fees to be taken by the Clerks of the Peace in the respective Districts, and to ascertain the manner of levying Sheriff's Fees and Poundage in actions of trespass and simple contract debts."

Mr. Rogers, seconded by Mr. Swayzie, moved that the said Bill be read a second time to-morrow.

The same was ordered accordingly.

Read the first time, a Bill entitled "An Act to amend the Law."

Mr. Sherwood, seconded by Mr. Rogers, moved that the said Bill be read a second time to-morrow.

Which was ordered accordingly.

Mr. Washburn moved, seconded by Mr. Swayzie, that so much of the Order of this day as respects the first reading of the Billiard Table Bill be dispensed with, and that the same be brought in on Monday next.

Accordingly the same was ordered.

Mr. Macdonell of York, seconded by Mr. Clench, moved in amendment, that the words, "on Monday next" be expunged, and in lieu thereof be inserted "in three months."

Upon which a division took place, the names being called for were taken down, which are as follows.

#### YEAS.

##### MESSRS. CLENCH

FERGUSON

MACDONELL (YORK)

ROGERS

#### NAYS.

##### MESSRS. SH'FF MACDONELL

ELLIOTT

SHERWOOD

McCRAE

WASHBURN

SWAYZIE

NELLES

WEAGER

Which passed in the negative by a majority of four.

On the main question being put, the same was carried in the affirmative, and leave accordingly given.

Mr. Clench moved, seconded by Mr. Ferguson, that so much of the Order of the Day be discharged as relates to the first reading of a Bill authorizing Justices of the Peace to hold to bail vagrant and itinerant persons, for any sum of which the Commissioners of the Court of Requests have cognizance, and that the same be read this day three months.

The same was carried in the negative.

Mr. Rogers, seconded by Capt. Elliott, moved That the Order of the Day, so far as relates to the leave granted to Mr. Clench to bring in a Bill to authorize Justices of the Peace to hold to special bail be discharged.

Which was ordered accordingly.

Mr. Macdonell of York moved, seconded by Mr. Swayzie, for leave to bring in a Bill to-morrow to authorize His Majesty's Justices of the Peace to commit to jail vagrants and itinerant persons for certain offences therein mentioned.

Leave was given.

Messrs. Rogers and Swayzie reported that they had carried up to the Legislative Council the Bill entitled "An Act to provide for compiling and printing all the Statutes of the several Parliaments of this Province, &c. and did request their concurrence thereto.

Mr. Sheriff McDonell, one of the Committee appointed by this House to confer with the Committee of the Legislative Council on the subject matter of amendments to the Bill entitled "An Act for the exemplary punishment of all and every person and persons aiding or assisting Deserters from His Majesty's Service," reported that the Committee of this House in conference with a Committee of the Legislative Council have agreed to the following amendments to the said Bill.

"And if from the circumstances and heinousness of the crime it shall be thought proper and expedient to increase the punishment, such Court or judge shall also award and adjudge that such offender, so convicted as aforesaid, shall forfeit and pay a sum not exceeding forty pounds. And if such offender shall not on or before the third day previous to the expiration of such imprisonment as aforesaid pay such fine, that then and in such case the said offender shall be publicly whipped."

Which amendment was adopted as reported.

Mr. Rogers moved, seconded by Mr. Weager, That Mr. Ferguson and Mr. Swayzie be Messengers to carry up to the Legislative Council the following Message.

The House of Assembly do agree in passing the Bill for the exemplary punishment of all and every person and persons who shall seduce or attempt to seduce, or aid or assist, or attempt to aid or assist, any Soldier to desert His Majesty's Service, or who shall harbour, conceal, receive or assist, any deserter from such service, with the amendments as modified by the Committees of the two Houses.

Which was ordered accordingly.

Then was read the petition of divers Magistrates and others, Inhabitants of the County of Glengarry, which is as follows.

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of His Majesty's Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in Upper and Lower Canada, &c.

To the Honorable the Legislative Council and the Honorable the Members of the Commons House of Assembly of the said Province in Parliament assembled.

The petition of the undersigned Magistrates and others of the County of Glengarry, Eastern District,

HUMBLY SHEWETH

That amidst the many blessings Your Petitioners enjoy under the Constitution and Government of this Province, and notwithstanding the wise exertions



of the Legislature to promote public prosperity, they still contemplate with anxiety the ill consequences that may result from the want of schools both to the present generation and to posterity.

That though the scarcity of these useful institutions may be ascribed in some degree to the infant state of the Province in general, and to the want of adequate means to give them weight and perpetuity, yet peculiar circumstances aggravate these unavoidable misfortunes, in this part of the Province in particular.

The Highlanders who form the great majority of inhabitants in this County, and who are in general a moral and religious people, are yet extremely backward in promoting any Public Institutions of learning.

In their native country they were accustomed to hear the beauties of Christianity inculcated in their mother tongue, whence many of them supposed that an English education was unnecessary, and what each individual was made to contribute by public authority towards the support of a school was so very light and so imperceptibly collected with the annual rents, that the mass of the people actually forgot that they bore any part of the burden.

These circumstances, together with the numerous charity schools established in different parts of the Highlands of Scotland, which cost nothing to the Inhabitants, have impressed the natives of that country with habits of thinking unfavorable to public institutions; and the few schools found among them here (by the painful exertions of certain individuals) are so discouraging and unprofitable to public instructors, that consequently they are fluctuating and of little value.

Your petitioners therefore submit it to your consideration whether the erection of schools by public authority, in the most central places in the country, under such regulations as may to your wisdom seem meet, and with such provisions as circumstances may afford, would not be a measure of great utility, both in a political and moral view, to the rising generation, and would not speedily counteract the effect of an improper bias, contracted by the people, who, in other respects are a reasonable and valuable description of men.

And as in duty bound Your petitioners shall ever pray &c.

(Signed) J. McDONELL, J.P.

ALEX. McMILLAN, J.P.

ALEX. McDONELL, J.P.

ALLAN McDONELL, J.P.

WALTER SUTHERLAND, J.P.

JOHN BETHUNE, *Minister*.

HUGH McDONELL

JOHN McINTYRE

DUNCAN McKENZIE

DUNCAN McINTYRE

DUNCAN MURCHISON

} *Elders.*

Mr. Sheriff Macdonell, seconded by Mr. Ferguson, moved for leave to bring in a Bill on Monday next to make provision for the establishment of schools in each and every District within this Province.

A division took place, the names were taken down and were as follows.

## YEAS.

MESSRS. FERGUSON  
 SH'FF MACDONELL  
 MACDONELL (York)  
 WASHBURN  
 McCRAE

## NAYS.

MESSRS. ELLIOTT  
 SHERWOOD  
 CLENCH  
 SWAYZIE  
 ROGERS  
 WEAGER  
 NELLES

The same passed in the negative by a majority of two.

Mr. Macdonell of York then moved, seconded by Mr. Ferguson, for leave to bring in a Bill to provide for Public Schools in certain parts of this Province.

A division having taken place, the names were taken down and were as follows.

## YEAS.

MESSRS. FERGUSON  
 MACDONELL (York)  
 SH'FF MACDONELL  
 WASHBURN  
 McCRAE

## NAYS.

MESSRS. ELLIOTT  
 SHERWOOD  
 CLENCH  
 SWAYZIE  
 ROGERS  
 WEAGER  
 NELLES

And the same was negatived by a majority of two.

After which two petitions from sundry Millers in this Province were read in substance as follows.

To the Honorable the Legislative Council and Assembly of the Province of Upper Canada.

The petition of sundry Millers of the said Province

Humbly Sheweth,

That Your petitioners have erected mills for manufacturing grain in various parts of this Province at an expense far exceeding their expectations, owing, from their remote situation, to the dearness of materials and the very advanced price of labour in this new country, or purchased them at a very heavy expense; and from the smallness of toll established by law (which is much less than in any other part of America), and the low price of grain, find themselves in very embarrassed circumstances; the profits arising from their Mills being scarcely sufficient to keep them in repair for doing the coarser kinds of work without the prospect of reimbursing them for their prime cost.

That for erecting the machinery, for putting them into a condition for manufacturing the finest kinds of flour, they feel every discouragement; so that in a country producing wheat equal to any in America only a second quality of flour can be produced, to the great detriment of the farming interest and the Community in general, and your Petitioners in particular; as the best markets for this valuable article must be consequently supplied by the States, which this rising country under proper encouragement would soon be able to supply.

Under these considerations as Guardians of the Public welfare, they look to you for such relief as you in your wisdom shall see proper to grant.  
And Your Petitioners as in duty bound will ever pray.

(Signed) John Darling  
David Secord  
Stephen Secord and  
several others.

Also was read the Petition of David McGregor Rogers, Esquire.  
To the Honorable the Commons of Upper Canada in Parliament assembled.  
The Petition of David McGregor Rogers,  
Humbly Sheweth,

That the place appointed by law for building a Gaol and Court House in the District of Newcastle is, under the present circumstances of that District, inconvenient.

Your Petitioner therefore prays that he may have leave to bring in a Bill to alter certain parts of an Act passed in the forty second year of His Majesty's Reign, entitled "An Act to provide for the administration of justice in the District of Newcastle."

And as in duty bound he will ever pray.

(Signed) D. M. G. Rogers.

For the first time was read a Bill entitled "An Act to alter certain parts of an Act passed in the forty second year of His Majesty's Reign, entitled "An Act to provide for the administration of justice in the District of Newcastle."

Mr. Rogers, seconded by Mr. Swayzie, moved that the said Bill be read a second time to-morrow.

Which was ordered accordingly.

The Petition of Angus Macdonell, Esquire, for leave to bring in a Bill to change the name of York into that of Toronto was read as follows.

To the Honorable the Commons of Upper Canada in Parliament assembled.  
The Petition of Angus Macdonell  
Humbly Sheweth,

That the name of Toronto, by which the Town, Township and County (now called York) were formerly distinguished, being more familiar and agreeable to the inhabitants of the said Town, Township and County than that of York, Your petitioner prays that he may have the leave of this Honorable House to bring in a Bill for restoring the former name of Toronto to the said Town, Township and County.

And Your petitioner as in duty bound will ever pray.

York, 18th. February, 1804.

(Signed) A. Macdonell.

Leave was given to him to bring in a Bill agreeable to the prayer of the said Petition.

Mr. Washburn moved, seconded by Mr. Ferguson, for leave to bring in a Bill to provide for Public Schools within this Province out of any fund remaining unappropriated in the Provincial Treasury.

The House being divided Mr. Speaker gave his vote for not bringing in the Bill.

On motion of Mr. Ferguson, seconded by Mr. Swayzie, the House adjourned.



*Friday 17th. February, 1804.*

Prayers were read.

Mr. Macdonell of York, seconded by Capt. Elliott, moved for leave to bring in a Bill relative to the Public Highways and Roads of this Province.

Leave was accordingly granted.

Read a second time, A Bill entitled "An Act to regulate the Fees to be taken by the Clerk of the Crown and Pleas, to establish Fees to be taken by the Clerks of the Peace, and to ascertain the manner of levying Sheriff's Fees and Poundage."

Then Mr. Clench, seconded by Mr. Rogers, moved that this House do now resolve itself into Committee to take the said Bill into its consideration.

Accordingly the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Nelles was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Nelles reported a progress and asked for leave to sit again.

Leave was granted accordingly.

Then, on motion of Mr. Sherwood, seconded by Mr. Macdonell of York, the House resolved itself into Committee to take into its consideration the Bill entitled "An Act to amend the Law."

Mr. Speaker left the Chair.

Mr. Rogers was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported the said Bill without any amendment.

Which Report was accepted.

Mr. Sherwood then moved, seconded by Mr. Sheriff Macdonell, that the said Bill be engrossed and read a third time to-morrow.

Ordered accordingly.

Read for the second time a Bill entitled "An Act to alter certain parts of an Act passed in the forty second year of His Majesty's Reign, entitled "An Act to provide for the administration of justice in the District of Newcastle."

Then, on motion of Mr. Rogers, seconded by Mr. Nelles, the House resolved itself into Committee to take up the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Macdonell of York was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell of York reported that the Committee had gone through the consideration of the said Bill without any amendment.

Mr. Sheriff Macdonell, seconded by Mr. Washburn, moved that the said Report be not accepted.

Upon which a division took place, the names were ordered to be taken down, which are as follows.

#### YEAS.

MESSRS. FERGUSON  
SH'FF MACDONELL  
MACDONELL (York)  
WASHBURN

#### NAYS.

MESSRS. SWAYZIE  
CLENCH  
SHERWOOD  
McCRAE  
NELLES  
ROGERS  
WEAGER  
BUELL

The same was carried in the negative by a majority of four.

William Jarvis, Esquire, Secretary to the Province, by order of His Excellency the Lieutenant Governor, delivered in at the Bar of this House the Provincial Public Accounts as per schedule, which was read by the Clerk, and afterwards ordered to lie on the Table.

SCHEDULE OF ACCOUNTS laid before the House of Assembly.

No. 1. List of Shop, Tavern, and Still Licenses issued in the Western District, and in the District of Johnstown, which expired on the 5th. of April, 1803.

No. 2 General Statement of Mr. Secretary Jarvis's Account with Government for their issue of Shop, Tavern and Still Licenses up to the 5th. of April, 1803.

No. 3 The Inspector's list of names of persons licensed as Shop and Innkeepers, for the year ending 5th. of April, 1804.

No. 4 Inspector's list of names of such persons as have been licensed to work stills for the year ending 5th. of April, 1804, with amount of duty collected thereon.

No. 5 Provincial Revenue of the Crown, arising from duties collected on goods imported under Acts of the Provincial Parliament, between the 1st. of January and the 31st. of December, 1803.

No. 6 Provincial Revenue of the Crown, arising from duties collected on goods imported under authority of Acts of the Parliament of Great Britain, between the 1st. of January and the 31st. of December, 1803.

No. 7 General account of articles on which duties on importation are imposed by the Legislature of Lower Canada, which have passed Côteau du Lac upwards from the 1st. January to the 30th. June, 1803.

No. 8 Abstract of Warrant issued by His Excellency, Lieutenant General Peter Hunter, Lieutenant Governor of the Province of Upper Canada, for moneys charged against the funds arising from duties imposed by the Provincial Legislature.

No. 9 General account of articles on which duties on importation are imposed by the Legislature of Lower Canada, which have passed Côteau du Lac upwards from 1st. July to 31st. December, 1803.

No. 10 Abstract statement of moneys collected on Shop, Tavern and Still licenses for the year ending the 5th. of April, 1804, after deducting ten per cent. allowed for the Inspectors.

No. 11 Abstract statement of moneys collected on Shop and Tavern Licenses for the year ending the 5th. of April, 1804, under the authority of Acts of the Parliament of Great Britain, after deducting ten per cent. allowed to the Inspectors.

No. 12 Account of cash received by the Honorable Peter Russell, Receiver General, for fines and forfeitures under authority of Acts of the Parliament of Great Britain, between the 1st. of January and the 31st. December, 1803.

No. 13 Account of cash received by the Honorable Peter Russell, Receiver General, for Light House duty, between the 1st. of April and the 31st. December, 1803.

No. 14 General state of cash received by the Honorable Peter Russell, Receiver General, for duties and fines under authority of Acts of the Parliament of Great Britain, between the 1st. January, 1803, and the 5th. February, 1804.

No. 15 General state of receipts and payment by the Honorable Peter Russell, Receiver General for duties and fines under the authority of Acts of the Provincial Parliament, between the 27th. January, 1803, and the 5th. of February, 1804.

No. 16 Statement of Colin McNabb, Esquire's, account for duties collected on goods at the ports of Niagara and Queenstown.

No. 17 Statement showing the several sums that have been paid by Great Britain, for the Province, in the year 1803, exclusive of the annual sum of eight thousand one hundred pounds sterling, granted by the British Parliament in support of the civil Government of Upper Canada, and the sums that have been charged against the Provincial Revenue of the Crown.

Inspector General's Office,  
York, 13th. Feb'y, 1804.

(Signed) John McGill,  
Inspr. Gen.  
P. P. Accounts.

(Schedule in Appendix.)

Mr. Rogers moved, seconded by Mr. Swayzie, that the Bill entitled "An Act to alter certain parts of an Act passed in the forty second year of His Majesty's Reign, entitled "An Act to provide for the administration of Justice in the District of Newcastle" be engrossed and read a third time to-morrow.

Ordered accordingly.

Then for the first time was read a Bill entitled, "An Act to restrain the custom of permitting male sheep or rams to run at large at certain seasons of the year."

Then Mr. McCrae, seconded by Mr. Washburn, moved that the said Bill be read a second time to-morrow.

And it was ordered accordingly.

The Bill entitled "An Act to authorize Justices of the peace to commit to gaol vagrant and itinerant persons for offences therein mentioned" was read for the first time.

Mr. Clench, seconded by Mr. Ferguson, moved that the said Bill be read a second time to-morrow.

Accordingly it was ordered.

On motion of Mr. Sherwood, seconded by Mr. Nelles, the House resolved itself into Committee to take into its consideration the Bill entitled "An Act to appropriate a fund, &c., for the purchase and exportation of hemp, the growth of this Province."

Mr. Speaker left the Chair.

Mr. Ferguson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported a progress and asked for leave to sit again on Monday next.

Leave was given accordingly.

Mr. Macdonell of York, seconded by Mr. Washburn, moved for leave to bring in on Monday next a Bill to establish a fund for erecting suitable buildings and offices for transacting the public business of the Province, and the better securing the Archives thereof from accident by fire.

Accordingly leave was given.



Mr. Sherwood gave notice that he should move to-morrow that the House resolve itself into Committee to take into its consideration the Public Accounts of this Province.

Mr. Washburn, seconded by Mr. Weager, moved for leave to bring in on Monday next a Bill to establish a fund for the support of Public Schools in this Province.

Leave was granted him to bring in the same.

On motion of Mr. McCrae, seconded by Mr. Rogers, the House adjourned.

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*Saturday, 18th. February, 1804.*

Prayers were read.

Read for the third time, the engrossed Bill entitled "An Act to amend the Law," which passed and was signed by Mr. Speaker.

Then was read for the third time the engrossed Bill entitled "An Act to alter certain parts of an Act passed in the forty second year of His Majesty's Reign entitled "An Act to provide for the administration of justice in the District of Newcastle," which was also passed and signed by Mr. Speaker.

Mr. Sherwood, seconded by Mr. Ferguson, moved that Mr. Rogers and Mr. Clench be Messengers to carry up the Bill entitled "An Act to amend the Law" to the Legislative Council, and also to carry up to the Legislative Council the Bill entitled "An Act to alter certain parts of an Act passed in the forty second year of His Majesty's Reign, entitled an Act to provide for the administration of justice in the District of Newcastle," and request their concurrence to each of the said Bills.

Ordered accordingly.

Read a second time, the Bill entitled "An Act to restrain male sheep or rams from running at large at certain seasons of the year in this Province."

On motion of Mr. McCrae, seconded by Mr. Swayzie, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported a progress and asked leave to sit again this day.

Leave was granted accordingly.

Read the first time, the Bill relative to the inspection of Flour, Pot and Pearl Ashes.

Mr. Washburn, seconded by Mr. Swayzie, moved that this Bill be read a second time on Monday next.

Mr. Clench, seconded by Capt. Elliott, moved in amendment that the words after the word "time" be expunged, and in lieu thereof be inserted "this day three months."

A division ensued, the names were ordered to be taken down, and are as follows.

## YEAS.

MESSRS. ELLIOTT  
NELLES  
SHERWOOD  
ROGERS  
WEAGER  
CLENCH  
BUELL

## NAYS.

MESSRS. SH'FF MACDONELL  
FERGUSON  
MACDONELL (York)  
WASHBURN  
McCRAE  
SWAYZIE

Carried in the affirmative by a majority of one for the second reading of the said Bill this day three months.

Which was ordered accordingly.

Read for the second time the Bill entitled "An Act to authorize the Justices of the Peace to commit to gaol vagrant and itinerant persons for certain offences therein mentioned."

On motion of Mr. Macdonell of York, seconded by Mr. Clench, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. McCrae was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McCrae reported that the Committee had gone through the consideration of the said Bill, and requested leave to sit again in three months.

Which report was accepted, and leave was given accordingly.

Read for the first time, a Bill entitled "An Act for granting to His Majesty a certain sum of money out of the funds applicable to the uses of this Province, to defray the expenses of mending and repairing the Public Highways and Roads, laying out and opening new Roads, and building bridges in the several Districts thereof."

Mr. Rogers, seconded by Mr. Macdonell of York, moved that the said Bill be read a second time on Monday next.

The same was ordered accordingly.

Then the House resolved itself into Committee to go into the further consideration of the Bill entitled "An Act to prevent Male Sheep or Rams running at large for the time therein mentioned."

Mr. Speaker left the Chair.

Mr. Swayzie was again called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported a progress and asked leave to sit again on Monday next. Leave was accordingly granted.

The Petition of several Inhabitants of the Home District was, by permission given to Mr. Sheriff Macdonell, brought up and ordered to lie upon the Table.

On motion of Mr. Sherwood, seconded by Mr. Rogers, the House resolved itself into Committee on the Provincial Public Accounts.

Mr. Speaker left the Chair.

Mr. Clench was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Clench reported a progress, and requested leave to sit again on Monday next.

Leave was given accordingly.

On motion of Mr. Washburn, seconded by Mr. McCrae, the House adjourned until Monday next.

*Monday, 20th. February, 1804.*

Prayers were read.

Mr. Washburn moved, seconded by Mr. Swayzie, in amendment, that the words of the Day as relates to leave given him to bring in a Bill to establish a Fund for the support of Public Schools within this Province, be discharged, and that he may be allowed to substitute an address in lieu thereof.

Leave was accordingly granted.

Read the first time, a Bill for laying assessments on Billiard Tables throughout this Province.

Mr. Ferguson, seconded by Mr. Rogers, moved that this Bill be read a second time the first day of April next.

Mr. Washburn moved, seconded by Mr. Swayzie, in amendment, that the words "first day of April" be expunged, and in lieu thereof be inserted "to-morrow."

The same passed in the negative.

Then the main question was put, which was carried in the affirmative.

And the said Bill was ordered to be read a second time the first day of April next.

Then was read for the second time the Bill entitled "An Act for granting to His Majesty a certain sum of money for the amending and repairing Public Highways and Roads, and opening and laying out new Roads, and for the building and repairing bridges in the several Districts of this Province."

On motion of Mr. Ferguson, seconded by Mr. Macdonell of York, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported that the Committee had gone through the consideration of the said Bill, to which they made some amendments, which he was directed to report whenever the House should be pleased to receive the same.

The House then resolved that the said Report be now received and accepted.

On motion of Mr. Rogers, seconded by Mr. Clench, the said Bill was ordered to be engrossed and read a third time to-morrow.

Agreeable to the Order of the Day the House resolved itself into Committee to go into the consideration of a Bill entitled "An Act to restrain the custom of permitting Male Sheep or Rams to run at large."

Mr. Speaker left the Chair.

Mr. Swayzie was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported a progress and asked leave to sit again this day.

Which was accordingly granted.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker:—

The Honorable the Legislative Council concur with the House of Assembly in the amendments made by the House of Assembly to a Bill entitled "An Act for the exemplary punishment of all and every person and persons who shall seduce, or attempt to seduce, or aid or assist, or attempt to aid or assist, any soldier to desert His Majesty's Service, or who shall harbour, conceal, receive or assist any deserter from such Service," as modified by the Committee of Conference on the said amendments.

And then he withdrew.



The House again resolved itself into Committee to go into the consideration of the Bill entitled "An Act to prevent Male Sheep or Rams from running at large between certain seasons of the year in this Province."

Mr. Speaker left the Chair.

Mr. Swayzie was again called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Swayzie reported the said Bill as amended.

Which Report was accepted.

Then Mr. McCrae, seconded by Mr. Clench, moved that the said Bill be engrossed, and read a third time to-morrow.

And the same was ordered accordingly.

Agreeable to the Order of the Day, the House then resolved itself into Committee to take up the consideration of the Provincial Public Accounts.

Mr. Speaker left the Chair.

Mr. Clench was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Clench informed the House that the Committee had gone through the consideration of the Provincial Public Accounts, which he was directed to report to the House whenever it should be pleased to receive the same.

Then Mr. Macdonell of York moved, seconded by Mr. Nelles, that the Committee do now report.

On Mr. Speaker having put the question, a division thereupon took place, the names being called for were taken down, and were as follows.

## YEAS.

## NAYS.

## MESSRS. CLENCH

## MESSRS. SH'FF MACDONELL

MACDONELL (York)

ELLIOTT

WASHBURN

FERGUSON

ROGERS

THOMPSON

NELLES

SHERWOOD

SWAYZIE

BUELL

WEAGER

McCRAE

The same passed in the negative by a majority of four.

Then Mr. Clench read the Report in his place, which is as follows.

The Committee on the Provincial Public Accounts report that there appears to be in the hands of the Receiver General the sum of .....				£1372.	4.	9¼
That the Revenue arising from duties levied in Lower Canada for the last year is not yet accounted for, but their probable amount is .....				1250.	0.	0.
				£2622.	4.	9¼
From which is to be deducted, as appropriated by law, for the payment of salaries of the Officers of both Houses of Parliament and the contingencies thereof .....				1090.	0.	0.
				£1532.	4.	9¼

It appears that there are several sums of money due by several persons amounting to about £700.

(Signed) Ralph Clench,  
Chairman.

Which Report was received and accepted.

Mr. Macdonell of York gave notice that he shall move to-morrow that this House do request a conference with the Legislative Council on the subject of a joint Address to His Majesty, relative to hemp.

Mr. Sherwood, seconded by Mr. Rogers, moved for leave to bring in a Bill to-morrow to make provisions for erecting Public Buildings.

Leave was accordingly given.

On motion of Mr. Swayzie, seconded by Mr. Weager, the House adjourned.

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*Tuesday, 21st. February, 1804.*

Prayers were read.

Mr. Rogers, one of the Messengers named to carry up to the Legislative Council a Bill entitled "An Act to amend the Law," and also a Bill entitled "An Act to alter part of an Act passed in the forty second year of His Majesty's Reign, entitled "An Act to provide for the administration of Justice in the District of Newcastle," reported that they had carried up the said Bill, and did request their concurrence thereto.

Read for the third time, the engrossed Bill entitled "An Act for preventing Male Sheep or Rams from running at large during certain seasons of the year within this Province."

Mr. Ferguson moved, seconded by Mr. Weager, that the said Bill do pass, and that the title be "An Act to amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act to extend the provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large."

Which was ordered accordingly.

Then Mr. Rogers moved, seconded by Mr. Nelles, for leave to bring in a Bill to-morrow to repeal certain parts, and amend other parts, of an Act passed in the fortieth year of His Majesty's Reign, entitled "An Act for the more equal representation of the Commons of this Province in Parliament, and for the better defining the qualifications of Electors."

Leave was accordingly granted.

Then was read a Petition from sundry persons in the Home District, which is as follows.

To the Honorable the Commons of Upper Canada  
in Parliament assembled.

The petition of the undersigned freeholders of the Home District,  
Humbly Sheweth:—

That the Fund by Law established for answering the Public Charges of the Home District aforesaid being insufficient with the most rigid economy to defray the same,

Your petitioners humbly pray that the yearly rate on the sums assessed in and for the said District be augmented for the term of three years, from one

penny to three half-pence in the pound, and the said Freeholders have also to state that three Townships in the said Home District have paid no assessment for these two years past, owing to there being no Magistrates in the said Townships to authorize the Town Meeting, &c., by which means (unless through your aid) the said District will be deprived of that proportion which those Townships would contribute towards the Public Fund. Your Petitioners therefore hope you will take this into consideration, and they as in duty bound will ever pray.

(Signed) H. Allcock, C. J.  
 Wm. Jarvis, Chairman Q'r. S.  
 Wm. Allan.  
 John McGill.  
 D. Cameron.  
 W. Chewitt.

Mr. Sheriff Macdonell then moved, seconded by Capt. Elliott, for leave to bring in to-morrow a Bill entitled "An Act to extend for a limited time within the Home District the provisions of an Act passed in the forty third year of His Majesty's Reign, entitled "An Act for particularizing the property, real and personal, which, during the continuance thereof, shall be subject to assessments and rates, and fixing the several valuations at which such and every particular of such property, shall be rated and assessed."

Leave was accordingly granted.

Then Mr. Macdonell of York moved, seconded by Mr. Thompson, that this House do request a conference with the Honorable the Legislative Council, to deliberate in common upon the expediency of a joint address to the King's Most Excellent Majesty, humbly praying that His Majesty may graciously be pleased to take into His Royal and Tender consideration the advantages which the Parent Realm and this growing Colony would equally derive by the general culture of hemp in the latter, and the necessity of temporary aid and encouragement in accomplishing so desirable an object.

On the question being put the House divided thereupon, the names being

## YEAS.

MESSRS. SH'FF MACDONELL  
 ELLIOTT  
 THOMPSON  
 WASHBURN  
 McCRAE  
 SWAYZIE  
 WEAGER  
 MACDONELL (York)

## NAYS.

MESSRS. ROGERS  
 CLENCH  
 FERGUSON  
 BUELL  
 NELLES

Carried in the affirmative by a majority of three, and ordered accordingly.

Then Mr. Macdonell of York, seconded by Mr. Swayzie, moved that Mr. Sheriff Macdonell and Capt. Elliott do carry the following message to the Honorable the Legislative Council.

The Commons do request a conference with this Honorable House to deliberate in common upon the expediency of a joint Address to the King's Most Excellent Majesty, humbly praying that His Royal and tender consideration be given to



the advantages which the Parent Realm and this growing Colony would equally derive by the general culture of Hemp in the latter, and the necessity for temporary aid and encouragement in accomplishing so desirable an object.

Commons House of Assembly  
Tuesday, 21st. February, 1804.

(Signed) R. Beasley  
Speaker.

Which was ordered accordingly.

Read for the third time, the engrossed Bill for repairing and opening Public Roads throughout this Province.

Mr. Ferguson then moved, seconded by Mr. Macdonell of York, that the said Bill do now pass, and that the title be "An Act for granting to His Majesty a certain sum of money out of the funds applicable to the uses of this Province, to defray the expenses of amending and repairing the Public Highways and Roads, and building Bridges in the several Districts thereof."

Ordered accordingly.

The said Bill then passed and was signed by Mr. Speaker.

Mr. Macdonell of York, seconded by Mr. Nelles, moved that Mr. Ferguson and Mr. Weager do carry up to the Legislative Council the Bill entitled "An Act to amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act to extend the provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting Horned Cattle, Horses, Sheep and Swine to run at large."

And also to carry up to the Legislature the Bill entitled "An Act for granting to His Majesty a certain sum of money out of the funds applicable to the uses of this Province, to defray the expenses of amending and repairing the Public Highways and Roads, laying out and opening new Roads, and building Bridges in the several Districts thereof," and to request their concurrence in passing the said two Bills.

Which was ordered accordingly.

Mr. Sherwood moved, seconded by Mr. Macdonell of York, that so much of the Order of the Day be discharged as relates to a Bill for Public Buildings, and that leave be given him to bring in the said Bill to-morrow.

Ordered accordingly.

Mr. Ferguson, one of the messengers named to carry up to the Honorable the Legislative Council the Bill entitled "An Act to amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act to extend the provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting Horned Cattle, Horses, Sheep and Swine to run at large," and also a Bill entitled "An Act for granting to His Majesty a certain sum of money out of the funds applicable to the uses of this Province, to defray the expenses of amending and repairing the Public Highways and Roads, laying out and opening new Roads, and building Bridges in the several Districts thereof," reported that they did carry up the said Bills, and requested their concurrence thereto.

A Message from the Legislative Council, by Mr. Burns, Master in Chancery.

Mr. Speaker,

The Honorable the Legislative Council have concurred with the House of Assembly in passing a Bill entitled "An Act to provide for the compiling and printing the Statutes of all the several Parliaments of this Province, and to repeal certain parts of an Act passed in the forty first year of His Majesty's Reign relative to printing Journals.

And then he withdrew.

On motion of Mr. Washburn, seconded by Mr. Ferguson, the House adjourned.

*Wednesday, 22nd. February, 1804.*

Prayers were read.

Mr. Ferguson, seconded by Mr. Rogers, moved that the names of the Members of this House be called over to-morrow at eleven o'clock.

Which was ordered accordingly.

Read for the first time, a Bill entitled "An Act to repeal certain parts of an Act passed in the fortieth year of His Majesty's Reign, entitled "An Act for the more equal representation of the Commons of this Province, and for the better defining the qualification of electors."

Then a Bill entitled "An Act to increase the Assessment within the Home District" was read for the first time.

Mr. Sheriff Macdonell, seconded by Capt. Elliott, moved that the said Bill be read a second time to-morrow.

Mr. Sherwood moved, seconded by Mr. Clench, in amendment to the said motion, that after the word "time" the remainder be expunged, and in lieu thereof the words "three months" be inserted.

Carried in the affirmative, and ordered accordingly.

Mr. Rogers moved, seconded by Mr. Clench, for leave to bring in to-morrow a Bill to repeal the second clause of an Act passed in the fortieth year of His Majesty's Reign, entitled "An Act for the more equal representation of the Commons of this Province in Parliament, and for the better defining the qualification of Electors."

On the question being put, a division thereupon took place, the names being called for were taken down, and are as follows.

YEAS.

MESSRS. THOMPSON  
ELLIOTT  
NELLES  
CLENCH  
SWAYZIE  
ROGERS  
MACDONELL (York)  
McCRAE  
WASHBURN

NAYS.

MESSRS. SH'FF MACDONELL  
SOL'R GENERAL  
SHERWOOD  
WEAGER  
FERGUSON  
BUELL

The same was carried in the affirmative by a majority of three, and leave given accordingly.

Mr. Sheriff Macdonell, one of the Messengers appointed to carry up to the Legislative Council a Message requesting a conference relative to the culture of Hemp, reported that they had carried up the said Message.

Mr. Ferguson, seconded by Mr. Sherwood, moved that the House do now resolve itself into Committee to take into consideration the Hemp Bill.

Which passed in the negative.

Mr. Sherwood moved, seconded by Mr. Ferguson, that so much of the Order of the Day be discharged as relates to bringing in a Bill relative to Public Buildings, and that leave be given him to bring it in to-morrow.

Ordered accordingly.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

The Honorable the Legislative Council have agreed that a Committee of that House shall meet a Committee of the House of Assembly in conference on the subject of the culture of Hemp, and they are now ready to receive the House of Assembly, upon such conference, in the Council Chamber.

And then he withdrew.

Mr. Sherwood moved, seconded by Mr. Macdonell of York, for leave to bring in a Bill to-morrow for the better promulgation of the laws of this Province.

Leave was granted.

Mr. Sheriff Macdonell, seconded by Mr. Sherwood, moved that Messrs. Macdonell of York, Solicitor General, Sherwood, McCrae, Swayzie, Elliott, Washburn and Ferguson be a Committee to confer with the Committee of the Legislative Council on the subject of cultivating and exporting of Hemp.

Ordered accordingly.

Members present:

MR. SPEAKER	MESSRS. NELLES
MESSRS. THOMPSON	ROGERS
CLENCH	WEAGER & BUELL.
SH'FF MACDONELL	

At two o'clock in the afternoon Mr. Speaker adjourned the House for want of a quorum.

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*Thursday, 23rd. February, 1804.*

Prayers were read.

The Committee named by this House to confer with the Committee of the Honorable Legislative Council on the subject of encouraging the culture and exportation of Hemp, reported that it is the opinion of the Committee of both Houses that it is highly expedient to address the King's most Excellent Majesty, praying aid and encouragement to the culture of Hemp in this Province, but that the framing of this address be postponed until it is seen what can be done from the funds of the Province to forward an object so very essential to its prosperity.

Agreeable to the Order of the Day the House was called over, and several of the members appeared, and the names of such as made default to appear were taken down, and are as follows.

MESSRS. MACDONELL (Glengarry)  
McKEE &  
D. W. SMITH (in England)



Read for the first time, a Bill entitled "An Act to repeal the second clause of an Act passed in the fortieth year of His Majesty's Reign, entitled "An Act for the more equal representation of the Commons of this Province in Parliament, and for the better defining the qualification of Electors."

Mr. Rogers, seconded by Mr. Nelles, moved that the said Bill be read a second time to-morrow.

Ordered accordingly.

Read the Petition of Isaac Swayzie, Esquire, which is as follows:

To the Honorable the Members of the House of Assembly for  
the Province of Upper Canada in Legislature assembled.

The Petition of Isaac Swayzie, Esq., of Niagara,

Humbly Sheweth,

That your Petitioner was employed in the month of August, 1801, by the Honorable David William Smith, one of the Commissioners appointed for encouraging the culture and exportation of Hemp, to purchase Hemp seed to be distributed throughout this Province. Your Petitioner had the sum of two hundred pounds advanced to him, as will appear in account number 10, by which it will also appear that your Petitioner expended the sum of two hundred and forty five pounds, nine shillings and eight pence farthing; consequently has left forty five pounds, nine shillings and eight pence farthing. Therefore from the well known liberality of your Honorable House he humbly prays that this sum may be made up to him out of the unappropriated moneys now in the Public Treasury, your Petitioner trusting that on an investigation of his accounts they will appear reasonable and right, and that there is a balance of forty five pounds, nine shillings and eight pence farthing as aforesaid due him. Your Petitioner begs also to state that no other person offered or came forward at the time to assist in procuring the seed, as is well known to the Commissioners, and your Petitioner as in duty bound will ever pray.

(Signed) Isaac Swayzie.

Then was read a petition from the Inhabitants of Yonge Street, which is as follows:

The Petition of the Landholders adjoining the King's highway from the Town of York to the Landing on Holland's River, known by the name of Toronto and Yonge Street,

Humbly Sheweth,

That we, your petitioners, beg leave to represent to the Honorable the Legislature of Upper Canada that we conceive it would be highly beneficial to the resident and non-resident landholders on said street, as well as to the inhabitants of the Town and vicinity of York, that said street should be put into such order as to promote an easier communication between the farmers settled on the said street and the Town of York. We, being satisfied that so desirable a purpose cannot be obtained without the aid of Parliament, pray that a Statute agreeable to the annexed plan may be passed in this present Session to compel all persons being owners of land adjoining said street, from the Town of York to the Landing on Holland's River, to put the said street into such state and condition as may be judged proper by three persons to be appointed by a majority of said landholders above mentioned, the above said three persons to be appointed annually, and to be

called to an account by the Court of King's Bench if complained of by a majority of said landholders. And your Petitioners as in duty bound will ever pray.

(Signed) Richard Lippencot  
Le Comp'te De Chalus  
William Willcocks  
and fifty others,  
Freeholders of Yonge Street.

Read for the first time, the Bill entitled "An Act to promulgate the Provincial Statutes and also to repeal so much of an Act passed in the forty first year of the Reign of His present Majesty as relates to printing the Journals."

On motion of Mr. Sherwood, seconded by Mr. Ferguson, the said Bill was read for the second time.

And then on motion of Mr. Ferguson, seconded by Mr. Sheriff Macdonell, the House resolved itself into Committee to go into consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Thompson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported the said Bill without amendment.

Mr. Clench, seconded by Mr. Rogers, moved that the Report be not accepted.

A division thereupon took place, the names were taken down, and are as follows:

#### YEAS.

MESSRS. ROGERS  
CLENCH

#### NAYS.

MESSRS. SWAYZIE  
SH'FF MACDONELL  
ELLIOTT  
SHERWOOD  
SOL'R GENERAL  
NELLES  
WASHBURN  
MACDONELL (York)  
McCRAE  
WEAGER  
FERGUSON  
THOMPSON  
BUELL

The same was carried in the negative by a majority of eleven, and the report was then received.

Mr. Sheriff Macdonell moved, seconded by Captain Elliott, that the said Bill be engrossed and read a third time this day.

Ordered accordingly.

On motion of Mr. Sherwood, seconded by Mr. Nelles, the engrossed Bill entitled "An Act to promulgate the Statutes" was read a third time, which passed and was signed by Mr. Speaker.

Mr. Sherwood, seconded by Mr. Swayzie, moved that Mr. Solicitor General and Captain Elliott do carry the said Bill to the Legislative Council and request their concurrence thereto.

Ordered accordingly.

Mr. Solicitor General, one of the Messengers named to carry the Bill entitled "An Act to promulgate the Statutes," reported that they had carried up the said Bill to the Legislative Council, and requested their concurrence thereto.

Mr. Macdonell of York, seconded by Mr. Rogers, moved for leave to bring in a Bill to-morrow for keeping in a better state of repair the Roads leading from the Town of York to Lake Simcoe, commonly called Yonge Street.

Leave was given accordingly.

The House resolved itself into Committee on the Bill entitled "An Act to establish an institution for the purchase and exportation of Hemp, the growth of this Province."

Mr. Speaker left the Chair.

Mr. Ferguson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported a progress, and asked leave to sit again this day.

Leave accordingly was granted.

A Message from the Legislative Council, by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this House that they have passed the Bill entitled "An Act to explain and amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act for the better securing to His Majesty, His Heirs and Successors, the due collection and receipt of certain duties therein mentioned."

And then he withdrew.

The House again resolved itself into Committee to go into the further consideration of the Bill relative to the purchasing and exporting of Hemp.

Mr. Speaker left the Chair.

Mr. Ferguson was again called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported a progress, and requested leave to sit again to-morrow.

Leave was accordingly granted.

Mr. Ferguson moved, seconded by Mr. Sherwood, that the rule of this House requiring a day's notice to be given previous to moving any new question be dispensed with, and that leave be given him to bring in a Bill this day for laying a duty on Stills.

Ordered accordingly, and leave was given.

Which Bill he read in his place and handed it to the Clerk at the Table, where it was again read for the first time.

On motion of Mr. Ferguson, seconded by Mr. Weager, the said Bill was read a second time.

Then, on motion of Mr. Ferguson, seconded by Mr. Sherwood, the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sheriff Macdonell reported the said Bill without any amendment.

Which Report was accepted.

Mr. Ferguson then moved, seconded by Mr. Nelles, that the said Bill be engrossed and read a third time this day.

Read a third time, the Bill entitled "An Act to explain and amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act for the



better securing to His Majesty, his Heirs and Successors the due collection and receipt of certain duties therein mentioned."

Mr. Ferguson, seconded by Mr. Sherwood, moved that Mr. Thompson and Mr. Swayzie be Messengers to carry up the said Bill to the Legislative Council, and to request their concurrence thereto.

Which was ordered accordingly.

Mr. Sherwood, seconded by Mr. Ferguson, moved for leave to bring in a Bill to-morrow, to provide for purchasing the Statute Laws of England for the public use of this Province.

Leave was accordingly given.

Mr. Washburn, seconded by Mr. Rogers, moved for leave to bring in a Bill to repeal an Act passed in the thirty fourth-year of His Majesty's Reign, entitled "An Act to lay a duty on Stills."

Mr. Ferguson moved, seconded by Mr. Sherwood, in amendment, that after the word "Stills" add "on the first day of April next."

On the question being put, a division took place, the names were taken down, and are as follows:

YEAS.

NAYS.

MESSRS. FERGUSON

MESSRS. CLENCH

SHERWOOD

ROGERS

MACDONELL (York)

THOMPSON

SHERIFF MACDONELL

WASHBURN

SOL'R GENERAL

NELLES

SWAYZIE

ELLIOTT

WEAGER

McCRAE

BUELL

Carried in the affirmative by a majority of seven.

On motion of Captain Elliott, seconded by Mr. Weager, the House adjourned.

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*Friday, 24th. February, 1804.*

Prayers were read.

Mr. Ferguson, seconded by Mr. Thompson, moved for leave to bring in a Bill to-morrow to regulate and establish the Fees to be taken by the Clerks of the Peace throughout this Province.

Leave was accordingly granted.

Read for the second time, a Bill entitled "An Act to repeal part of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act for the more equal representation of the Commons of this Province, and for the better defining the qualifications of electors."

On motion of Mr. Rogers, seconded by Mr. Nelles, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. McCrae was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. McCrae reported that the Committee had gone through the consideration of the said Bill without any amendment, which he was directed to report whenever the House shall be pleased to receive the same.

Mr. Sherwood, seconded by Mr. Sheriff Macdonell, then moved that the said Report be not accepted.

On the question being put a division ensued, the names being called for were taken down, and were as follows.

## YEAS.

MESSRS. SH'FF MACDONELL

ELLIOTT

FERGUSON

BUELL

WEAGER

SHERWOOD

## NAYS.

MESSRS. NELLES

CLENCH

WASHBURN

ROGERS

McCRAE

MACDONELL (York)

SWAYZIE

THOMPSON

The same passed in the negative by a majority of two.

The Report was then received and accepted.

Mr. Rogers then moved, seconded by Mr. Thompson, that the Bill relative to the qualification of Electors be engrossed and read a third time to-morrow.

Which was ordered accordingly.

Then was read for the first time a Bill entitled "An Act for granting to His Majesty a certain sum of money for the purpose of purchasing the Statute Laws of England.

On motion of Mr. Macdonell of York, seconded by Mr. Sherwood, the House resolved that the said Bill be read a second time to-morrow.

Agreeable to leave given, Mr. Macdonell of York brought in the Bill entitled "An Act for the keeping in better repair the highway leading from the Town of York to Lake Simcoe," which was read for the first time.

On motion of Mr. Rogers, seconded by Mr. Macdonell of York, it was ordered that the said Bill be read a second time on Monday next.

Then, on motion of Mr. Macdonell of York, seconded by Captain Elliott, the House resolved itself into Committee to go into the further consideration of the Bill entitled "An Act to encourage the cultivation in, and exportation of, Hemp from this Province."

Mr. Speaker left the Chair.

Mr. Ferguson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Ferguson reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report whenever the House should be pleased to receive the same.

Then Mr. Clench moved, seconded by Mr. Rogers, that the said Report be not accepted.

On the question being put a division thereupon took place, the names being called for they were taken down, and are as follows.

## YEAS.

MESSRS. NELLES  
ROGERS  
CLENCH  
BUELL  
FERGUSON

## NAYS.

MESSRS. SH'FF MACDONELL  
ELLIOTT  
SHERWOOD  
THOMPSON  
MACDONELL (York)  
McCRAE  
WEAGER  
SWAYZIE

The same passed in the negative by a majority of four, and the Report was accordingly received and accepted.

Mr. Macdonell of York, seconded by Capt. Elliott, moved that the Bill entitled "An Act for the relief of such cultivators and exporters of Hemp" be engrossed and read a third time this day.

Ordered accordingly.

Mr. Thompson, one of the Messengers named to carry up to the Honorable the Legislative Council the Bill entitled "An Act to explain and amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act for the better securing to His Majesty, His Heirs and Successors, the due collection and receipt of certain duties therein mentioned," reported that they carried up the said Bill, and did request their concurrence thereto.

Mr. Clench, seconded by Capt. Elliott, moved for leave to bring in to-morrow a Bill to authorize the Governor, Lieut. Governor, or person administering the Government, to pay to Isaac Swayzie, Esquire, out of the unappropriated moneys now in the Provincial Treasury, the sum of forty five pounds nine shillings and eight pence farthing, due to said Isaac Swayzie, Esquire, on Hemp seed furnished by him for the use of this Province.

Leave was accordingly given.

Then was read for the third time the engrossed Bill entitled "An Act for the relief of such cultivators of Hemp as are affected by the present want of a market for the same within this Province."

On the question being put for the said Bill passing, a division thereupon took place, the names being called for they were taken down, and are as follows.

## YEAS.

MESSRS. SH'FF MACDONELL  
ELLIOTT  
SHERWOOD  
MACDONELL (York)  
WASHBURN  
McCRAE  
WEAGER  
SWAYZIE

## NAYS.

MESSRS. NELLES  
ROGERS  
CLENCH  
BUELL  
FERGUSON

Carried in the affirmative by a majority of three, which Bill then passed and was signed by Mr. Speaker.

Mr. Ferguson moved, seconded by Mr. Rogers, that Messrs. Washburn and McCrae be Messengers to take up to the Legislative Council the Bill entitled "An



Act for the relief of such cultivators of Hemp as are affected by the present want of a market for the same within this Province."

Which was ordered accordingly.

Mr. Washburn, seconded by Mr. Thompson, moved that this House do resolve itself into Committee to-morrow to take the circumstances he has alluded to into consideration, meaning, to extend the Commerce of this Province.

A division thereupon took place, the names were ordered to be taken down, and are as follows.

## YEAS.

MESSRS. SHERWOOD  
WASHBURN  
CLENCH  
THOMPSON  
SWAYZIE  
WEAGER

## NAYS.

MESSRS. ELLIOTT  
SH'FF MACDONELL  
ROGERS  
FERGUSON  
BUELL  
MACDONELL (York)  
McCRAE

The same passed in the negative by a majority of one.

Then Mr. Thompson, seconded by Mr. Rogers, moved that this House do now adjourn.

The same passed in the negative.

Mr. McCrae, one of the Messengers named to carry up to the Legislative Council the Bill entitled "An Act to encourage the cultivation in, and exportation of, Hemp from this Province," reported that they had carried up the said Bill, and did request their concurrence thereto.

Then Mr. Macdonell of York, seconded by Mr. Sherwood, moved that the Rule of this House which requires a day's previous notice of any motion be dispensed with, and that he have leave to bring in a Bill this day to provide for the erecting of Public Buildings.

The same was ordered, and leave was accordingly granted.

Then was read for the first time a Bill to provide for the erecting of Public Buildings in this Province.

Then, on motion of Mr. Sherwood, seconded by Mr. Sh'ff Macdonell,

Ordered, that the said Bill be read a second time to-morrow.

On motion of Capt. Elliott, seconded by Mr. Weager, the House adjourned.

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*Saturday, 25th. February, 1804.*

Prayers were read.

Read for the first time, the Bill to regulate the Fees to be taken by the Clerks of the Peace in each and every District within this Province.

Mr. Ferguson then moved, seconded by Mr. Rogers, that the said Bill be read a second time on Monday next.

Which was ordered accordingly.

Agreeable to the Order of the Day was read for the third time the engrossed Bill entitled "An Act for the more equal representation of the Commons in Parliament, and for the better defining the qualification of Electors."

On the question being put for the said Bill passing, a division thereupon took place, the names being called for they were taken down and are as follows.

## YEAS.

MESSRS. WASHBURN  
ROGERS  
NELLES  
CLENCH  
SWAYZIE  
MACDONELL (York)

## NAYS.

MESSRS. SH'FF MACDONELL  
FERGUSON  
SOLICITOR GENERAL  
SHERWOOD  
BUELL  
McCRAE  
WEAGER

The same passed in the negative by a majority of one.

Read for the second time, the Bill for granting to His Majesty a certain sum of money for the purpose of purchasing the Statute Laws of England.

On motion of Mr. Macdonell of York, seconded by Mr. Sherwood, the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Solicitor General was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Solicitor General reported that the Committee had gone through the consideration of the said Bill, which he was directed to report whenever the House should be pleased to receive the same.

Mr. Clench then moved, seconded by Mr. Nelles, that the Report be not accepted.

A division thereupon took place, the names being called for they were taken down, and are as follows.

## YEAS.

MESSRS. WASHBURN  
CLENCH  
NELLES  
SWAYZIE  
BUELL

## NAYS.

MESSRS. FERGUSON  
SHERIFF MACDONELL  
ELLIOTT  
SOL'R GENERAL  
SHERWOOD  
MACDONELL (York)  
ROGERS  
THOMPSON  
McCRAE

The same passed in the negative by a majority of four.

The Report was then received and accepted, and the said Bill ordered to be engrossed, and read a third time on Monday next.

Mr. Clench moved, seconded by Mr. Rogers, That the Order of the Day which gave him leave to bring in a Bill for the relief of Isaac Swayzie, Esquire, be discharged.

Ordered accordingly.

Mr. Sheriff Macdonell, seconded by Mr. Ferguson, moved that the Bill entitled "An Act to repeal part of an Act passed in the fortieth year of His Majesty's

Reign, entitled "An Act for the more equal representation of the Commons of this Province in Parliament, and for the better defining the qualifications of Electors," be read for the third time on this day three months.

A division thereupon took place, the names were called for and taken down as follows.

## YEAS.

MESSRS. FERGUSON  
SH'FF MACDONELL  
ELLIOTT  
SOLICITOR GEN.  
SHERWOOD  
BUELL  
McCRAE  
WEAGER

## NAYS.

MESSRS. MACDONELL (York)  
WASHBURN  
THOMPSON  
ROGERS  
NELLES  
CLENCH  
SWAYZIE

The same was carried in the affirmative by a majority of one, and ordered accordingly.

Read a second time, an Act for erecting Public Buildings in this Province.

On motion of Mr. Macdonell of York, seconded by Mr. Sherwood, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Weager was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Weager reported that the Committee had gone through the consideration of the said Bill without any amendment.

Which Report was accepted.

Then Mr. Macdonell of York moved, seconded by Mr. Rogers, that the said Bill be engrossed and read a third time on Monday next.

Which was ordered accordingly.

Mr. Macdonell of York moved, seconded by Mr. Sherwood, for leave to bring in a Bill for granting to His Majesty certain sums of money to make good the like sums advanced by His Majesty through the Lieutenant Governor during the course of the last year in discharge of certain contingent expenditures of the Provincial Parliament and in support of the administration of Public Justice.

Leave was accordingly given.

Then Mr. Sherwood moved, seconded by Mr. Macdonell of York, that permission be given William Buell, Esquire, to return home on Monday next.

Leave of absence was accordingly given Mr. Buell.

On motion of Captain Elliott, seconded by Mr. Sheriff Macdonell, the House adjourned until Monday next.

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*Monday, 27th. February, 1804.*

Prayers were read.

Read for the second time, a Bill to regulate the Fees to be taken by the Clerks of the Peace in the several Districts of this Province.

On motion of Mr. Ferguson, seconded by Mr. Rogers, the House resolved itself into Committee on the said Bill.



Mr. Speaker left the Chair.

Mr. Washburn was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Washburn reported a progress, and asked for leave to sit again to-morrow.

Leave was accordingly granted.

Read for the third time, the engrossed Bill for erecting Public Buildings in this Province.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this House that they have passed a Bill sent up to them intituled "An Act for granting to His Majesty a certain sum of money out of the funds applicable to the uses of this Province, to defray the expense of amending and repairing the Public Highways and Roads, laying out and opening new Roads, and building Bridges in the several Districts thereof," without any amendment, and also to inform this Honorable House that they have passed a Bill entitled "An Act for the better securing the Province against all seditious attempts or designs to disturb the tranquility of this Province," to which they request the concurrence of this House.

And then withdrew.

On motion of Mr. Sherwood, seconded by Mr. Nelles, the said Bill was read for the first time.

Then Mr. Ferguson moved, seconded by Mr. Rogers, that the said Bill be read a second time on Wednesday next.

Ordered accordingly.

Mr. Macdonell of York, seconded by Mr. Sherwood, moved that the title of the Bill for erecting Public Buildings be "An Act appropriating a certain sum of money annually to defray the expenses of erecting certain Public Buildings to and for the uses of this Province."

Which was ordered accordingly, and the said Bill, passed and was signed by Mr. Speaker.

Agreeable to the Order of the Day was read for the third time the engrossed Bill for granting to His Majesty a certain sum of money for the purpose of purchasing the Statute Laws of England, which then passed, and was signed by Mr. Speaker.

Mr. Sherwood, seconded by Mr. Sheriff Macdonell, moved that Mr. Macdonell of York and Mr. McCrae be Messengers to carry the said two Bills up to the Honorable the Legislative Council, and request their concurrence in passing the same.

Which was ordered accordingly.

Mr. Macdonell of York, one of the Messengers named to carry up to the Legislative Council the Bill entitled "An Act appropriating a certain sum of money annually to defray the expenses of erecting certain Public Buildings to and for the uses of this Province," and also the Bill entitled "An Act for granting to His Majesty a certain sum of money for the purpose therein mentioned"; reported that they had carried up the same and did request their concurrence thereto.

Read for the first time, a Bill entitled "An Act for granting to His Majesty certain sums of money to make good the like sums advanced by His Majesty through His Excellency the Lieutenant Governor during the course of last year, in discharge of certain contingent expenditures of the Provincial Parliament, and in support of the Administration of Public Justice.

A Message from the Legislative Council, by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Legislative Council to inform this Honorable House that they have concurred in passing the Bill "An Act to explain and amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act for the securing to His Majesty, his Heirs and Successors, the collection and receipt of certain duties therein mentioned," without any amendment. And also a Bill entitled "An Act to promulgate the Provincial Statutes, and also to repeal so much of an Act passed in the forty first year of the Reign of His present Majesty as relates to printing the Journals," without any amendment.

And then he withdrew.

Mr. Sherwood moved, seconded by Mr. Ferguson, that so much of the Rule of this House as requires one day's previous notice be dispensed with, and that the Bill entitled "An Act to apply a certain sum of money " be now read a second time.

Which was ordered accordingly, and the said Bill was then read for the second time.

On motion of Mr. Sherwood, seconded by Captain Elliott, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported that the Committee had gone through the consideration of the said Bill without any amendment.

Which report was accepted.

Mr. Ferguson then moved, seconded by Mr. Thompson, that this House do present an Address to His Excellency the Lieutenant Governor, praying him to advance the sum of twenty five pounds to enable the Clerk of this House to pay his Copying Clerks.

Which was ordered accordingly.

Mr. Macdonell of York moved, seconded by Captain Elliott, that Messrs. Ferguson and Sherwood be a Committee to draft an Address to His Excellency the Lieutenant Governor praying that he may be pleased to advance twenty five pounds to the Clerk of this House towards paying Copying Clerks.

Which was ordered accordingly.

Then Mr. Ferguson informed the House that the Committee had drafted an Address to His Excellency the Lieutenant Governor, which he was ready to submit to the House whenever they shall be pleased to receive the same.

The House then resolved that the said Address be now read, and Mr. Ferguson then read the same in his place, which he delivered in at the Table, and the same was again read by the Clerk, and is as follows:

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. &c.

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, do most humbly pray that Your Excellency will be pleased to order an advance of twenty five pounds currency to be made to the Clerk of this House, on account, towards defraying the expenses of Copying Clerks

during present Session; and that the same be charged to the fund by Law appropriated for that purpose.

Commons House of Assembly,  
Monday, 27th. Feb'y, 1804.

On motion of Mr. Ferguson, seconded by Mr. Swayzie, the said Address was ordered to be engrossed.

Read a second time, the Bill for repairing and amending Yonge Street Road leading to Lake Simcoe.

On motion of Mr. Macdonell of York, seconded by Mr. Rogers, the House resolved itself into Committee to go into consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Rogers was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Rogers reported that the Committee had postponed the further consideration of the said Bill for three months.

Then Mr. Macdonell of York moved, seconded by Mr. Washburn, that the Report be not accepted.

A division thereupon ensued; the names being called for, they were taken down, and are as follows:

YEAS.

NAYS.

MESSRS. MACDONELL (York)  
NELLES  
WASHBURN  
ROGERS  
SWAYZIE

MESSRS. FERGUSON  
SOL'R GENERAL  
SHERWOOD  
THOMPSON  
CLENCH  
McCRAE  
WEAGER

The same passed in the negative by a majority of two. The Report was then accepted and ordered accordingly. On motion of Mr. Sherwood, seconded by Captain Elliott, the House adjourned.

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*Tuesday, 28th. February, 1804.*

Prayers were read.

Mr. Thompson moved, seconded by Mr. Ferguson, that Mr. Washburn and Mr. Weager be a Committee to carry up the Address voted yesterday by this House.

Which was ordered accordingly.

Mr. Macdonell of York, by permission of the House brought up the petition of William Jarvis, Esquire, Secretary of the Province.

Then Mr. Rogers moved, seconded by Mr. Macdonell of York, that the rule requiring that a Petition brought up do lie two days on the Table before it is read be dispensed with this day, and that the Petition of William Jarvis, Esquire, be now read.



Ordered accordingly, and the said Petition was then read, and is as follows.

To the Honorable House of Assembly of the Province of Upper Canada in Parliament assembled.

The Petition of William Jarvis, Esquire, Secretary of the said Province,  
Most Humbly Sheweth,

That it being found expedient by the Executive Government of this Province to order all deeds for the Waste Lands of the Crown to be made out on parchment has subjected Your Petitioner to a heavy and serious additional expense in carrying on the business of his office, the emoluments of which will not by any means defray the expenses necessarily incurred or enable your Petitioner to lay out such large sums of money, which he is, and has been, unavoidably compelled to disburse for the purpose of carrying on the public business of the Province without the most material injury to himself and family.

Your Petitioner is ready to give the most satisfactory proof to the Honorable House of Assembly in Parliament assembled of the heavy and burthensome grievance under which he labours, and prays for such relief as the nature and necessity of his case will be made appear by a brief statement at the Bar of the Honorable House, or by any other means Your Honors in your wisdom may deem expedient to adopt for the investigation of the same.

And in duty bound will ever pray.

York, 27th. February, 1804

(Signed) William Jarvis, Secretary.

Mr. Macdonell of York moved, seconded by Mr. Swayzie, That the House do now resolve itself into Committee to take the petition of William Jarvis, Esquire, into consideration, with power to send for persons and papers.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Nelles was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Nelles reported a progress, and asked leave to sit again this day.

Leave was accordingly granted.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,—

I am commanded by the Honorable the Legislative Council to inform this House that they have concurred in passing an Act entitled "An Act appropriating a certain sum of money annually to defray the expenses of erecting certain Public Buildings, to and for the uses of this Province," without any amendment; and also an Act entitled "An Act for granting to His Majesty a certain sum of money for the purposes therein mentioned," to which they had made an amendment, and do request the concurrence of this House thereunto.

And then withdrew.

Mr. Macdonell of York then moved, seconded by Mr. Clench, that the amendment made by the Legislative Council in and to this Bill be not read.

Mr. Solicitor General moved, seconded by Mr. Ferguson, in amendment to Mr. Macdonell's, of York, motion, that the word "not" be expunged.

A division thereupon took place; the names being called for were taken down and are as follows.

## YEAS.

MESSRS. FERGUSON

ELLIOTT

SHERWOOD

SOL'R GENERAL

ROGERS

WEAGER

THOMPSON

WASHBURN

## NAYS.

MESSRS. MACDONELL (York)

CLENCH

SWAYZIE

McCRAE

NELLES

The same was carried in the affirmative by a majority of three.

Then the said Bill as amended was read.

Then Mr. Solicitor General moved, seconded by Mr. Sherwood, that as the amendment to the Bill now before the House is a matter of form only, and not substance, that this House do concur in the same.

The House accordingly concurred in the said amendment.

Mr. Ferguson moved, seconded by Capt. Elliott, that Mr. Rogers and Mr. Thompson be Messengers to carry to the Legislative Council the following message.

Mr. Speaker,—

The House of Assembly have agreed to the amendments made by the Honorable the Legislative Council to a Bill entitled "An Act for granting to His Majesty a certain sum of money for the purposes therein mentioned."

Which was ordered accordingly.

Mr. Rogers, one of the messengers named to carry up to the Honorable Legislative Council a message informing them that this House had concurred in the amendments made to a Bill entitled "An Act for granting to His Majesty a certain sum of money for the purposes therein mentioned," reported that they had carried up the said Message.

Mr. Washburn, one of the Messengers named by this House to carry an Address to His Excellency the Lieutenant Governor, reported that they had carried up the same.

To which His Excellency was pleased to return the following answer.

Gentlemen:—

I cheerfully accede to the request contained in your address for an advance of twenty five pounds to your Clerk, to enable him to defray the expense of copying Clerks during the present session and I shall accordingly issue my Warrant upon the Receiver General for the payment of that sum.

The House again resolved itself into Committee to go into the further consideration of Mr. Secretary Jarvis' Petition.

Mr. Speaker left the Chair.

Mr. Nelles again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Nelles reported a progress, and asked leave to sit again.

Leave was accordingly granted.

On motion of Mr. Sherwood, seconded by Mr. Ferguson, the House resolved itself into Committee to go into the consideration of an Act for applying a certain sum of money therein mentioned to make good certain moneys issued and advanced by His Majesty, through the Lieutenant Governor in pursuance of an Address from this House.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report to the House whenever it should be pleased to receive the same.

The House then resolved that the said Report be now received.

Which Report was then received and accepted.

On motion of Mr. Ferguson, seconded by Mr. Sherwood,

Ordered, That the said Bill as amended be engrossed, and read a third time this day.

Mr. Macdonell of York, seconded by Mr. Nelles, moved for leave to bring in a Bill to-morrow for compelling grantees of locations of land upon Yonge Street to comply with the general regulations in respect of the said Street or Highway.

Leave was accordingly granted.

Agreeable to the Order of the Day the House resolved itself into a Committee on the Bill to regulate the Fees to be taken by the Clerks of the Peace and Sheriffs in the several Districts of this Province.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported a progress and asked for leave to sit again.

And leave was accordingly granted.

Then was read for the third time as engrossed the Bill entitled "An Act for applying a certain sum of money therein mentioned to make good certain moneys issued and advanced by His Majesty through the Lieutenant Governor in pursuance of an Address of this House."

Which Bill passed and was signed by Mr. Speaker.

Then Mr. Macdonell of York moved, seconded by Mr. Ferguson, That Mr. Sherwood and Mr. Ferguson do carry up the said Bill to the Legislative Council and request their concurrence in passing the same.

The same was ordered accordingly.

On motion of Mr. Macdonell of York, seconded by Capt. Elliott, the House resolved itself into Committee to go into the further consideration of the Bill entitled "An Act for the better regulation of the Fees of His Majesty's Court of King's Bench, which are subject or liable to taxation."

Mr. Speaker left the Chair.

Mr. Ferguson again took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report whenever the House shall be pleased to receive the same.

On motion of Mr. Clench, seconded by Mr. Macdonell of York, the said Report was received and accepted.

Then the said Bill was ordered to be engrossed and read a third time to-morrow.

Mr. Sherwood gave notice that he will move to-morrow, That the House do then resolve itself into a Committee to take into consideration the contingent expenses of both Houses of Parliament during the present Session, and also the petition of Isaac Swayzie, Esquire.



Mr. Macdonell of York then gave notice that to-morrow he will move that a conference be requested with the Legislative Council to consider in common upon the best means of encouraging the culture and exportation of Hemp, and upon an Address to His Majesty praying aid in that respect.

On motion of Mr. McCrae, seconded by Mr. Weager, the House adjourned.

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*Wednesday, 29th. February, 1804.*

Prayers were read.

Agreeable to the Order of the day was read for the second time the Bill entitled "An Act for the better securing the Province against all seditious attempts or designs to disturb the tranquility of this Province."

On motion of Mr. Sherwood, seconded by Mr. Weager, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Clench was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Clench reported that the Committee had gone through the consideration of the said Bill, to which they had made no amendments, which he was directed to report to the House whenever it should be pleased to receive the same.

The House then resolved that the said Report be now received and accepted.

On motion of Mr. Sherwood, seconded by Mr. Nelles, the said Bill was read for the third time.

Then Mr. Macdonell of York moved, seconded by Mr. Clench that the following be added as the last clause to the said Bill.

"And be it further enacted by the authority aforesaid that this Act shall be, and continue to be in force for and during the term of four years and no longer."

On the question being put, a division thereupon ensued; the names being called for, they were taken down, and are as follows:

YEAS.

MESSRS. MACDONELL (York)  
CLENCH

NAYS.

MESSRS. SOL'R GENERAL  
SHERWOOD  
NELLES  
FERGUSON  
ROGERS  
WASHBURN  
THOMPSON  
ELLIOTT  
WEAGER  
SWAYZIE  
McCRAE

The same passed in the negative by a majority of nine.

The said Bill then passed and was signed by Mr. Speaker.

On motion of Mr. Solicitor General, seconded by Mr. McCrae,

Ordered, That Messrs. Sherwood and Ferguson do return to the Legislative Council the Bill entitled "An Act for the better securing the Province against all

sedition attempts or designs to disturb the tranquility of this Province," and inform them that this House have concurred in passing the said Bill without any amendment.

Then was read for the third time the engrossed Bill entitled "An Act for the better regulation of the Fees in His Majesty's Court of King's Bench, which are subject or liable to taxation."

Which was then passed and was signed by Mr. Speaker.

On motion of Mr. Thompson, seconded by Mr. Clench,

Ordered that Mr. Macdonell of York and Mr. Weager do carry the said Bill to the Legislative Council, and request their concurrence in passing the same.

Messrs. Sherwood and Ferguson reported that they had carried up to the Legislative Council the Bill entitled "An Act for applying a certain sum of money, therein mentioned, to make good certain moneys advanced by His Majesty through the Lieutenant Governor in pursuance of an Address," and did request their concurrence thereto,—and also that they had carried up the Bill entitled "An Act for the better securing the Province against all seditious attempts or designs to disturb the tranquility of this Province."

Then Mr. Weager, one of the Messengers named to carry up to the Honorable Legislative Council a Bill entitled "An Act for the better regulation of Fees in His Majesty's Court of King's Bench which are subject or liable to taxation," reported that they had carried up the same and did request their concurrence thereto.

On motion of Mr. Ferguson, seconded by Mr. Swayzie, the House resolved itself into Committee to go into the consideration of the Fees to be taken by the Clerks of the Peace and Sheriffs in the several Districts of this Province.

Mr. Speaker left the Chair.

Mr. Ferguson took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported a progress, and asked leave to sit again.

Leave was accordingly granted.

Read for the first time, the Bill entitled "An Act for the purpose of repairing Yonge Street Road leading to Lake Simcoe."

Mr. Macdonell of York then moved, seconded by Mr. Clench, that the Rule of this House requiring a day's previous notice be dispensed with, and that this Bill be now read a second time.

The same passed in the negative.

Mr. Rogers moved, seconded by Mr. Macdonell, that the said Bill be read a second time to-morrow.

Which was ordered accordingly.

On motion of Mr. Sherwood, seconded by Mr. McCrae, the House resolved itself into Committee to take into their consideration the Contingent Accounts of both Houses of Parliament, and also the Account of Isaac Swayzie, Esquire.

Mr. Speaker left the Chair.

Mr. Thompson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported a progress and asked for leave to sit again to-morrow.

Leave was accordingly given.

Mr. Sherwood moved, seconded by Mr. Nelles, that leave be given to Jacob Weager, Ebenezer Washburn and Samuel Sherwood, Esquires, to go home on Saturday next.

The same passed in the negative.

Mr. Washburn gave notice that he would move to-morrow for leave of absence from this House from Saturday next to the end of this Session.

On motion of Mr. Rogers, seconded by Mr. Ferguson, the House adjourned.

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*Thursday, 1st. March, 1804.*

Prayers were read.

Mr. Washburn moved, seconded by Mr. Solicitor General, that leave be given to Messrs. Sherwood, Weager and Washburn to return home on Saturday next.

Leave was accordingly granted them.

Agreeable to the Order of the Day was read for the second time the Bill entitled "An Act for amending Yonge Street Road leading to Lake Simcoe."

Then on motion of Mr. Macdonell of York, seconded by Mr. Rogers, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Sherwood was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sherwood reported a progress, and asked leave to sit again to-morrow.

Leave was accordingly granted.

On motion of Mr. Ferguson, seconded by Mr. Swayzie, the House resolved itself into Committee to go into the further consideration of the Bill entitled "An Act to regulate the Fees to be taken by the Clerk of the Peace and Sheriffs in the several Districts throughout this Province."

Mr. Speaker left the Chair.

Mr. Swayzie was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Swayzie reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which amendments he was directed to report to the House whenever it shall be pleased to receive the same.

The House then resolved that the said Report be now received.

Which Report was accordingly received and accepted.

On motion of Mr. Ferguson, seconded by Mr. Sherwood, the said Bill was ordered to be engrossed and read a third time.

On motion of Mr. Ferguson, seconded by Mr. Nelles, the House resolved itself into Committee on the Contingent Accounts of both Houses of Parliament.

Mr. Speaker left the Chair.

Mr. Thompson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Thompson reported a progress and asked leave to sit again.

Leave was accordingly granted.

A Message from the Legislative Council, by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this House that they have passed a Bill sent up to them, from this House, entitled



“An Act for the relief of such Cultivators of Hemp as are affected by the present want of a Market for the same within this Province,” to which they made some amendments, and do request the concurrence of this House to the same.

And then he withdrew.

Mr. Sherwood moved, seconded by Captain Elliott, that the said Bill as amended be now read.

On the question being put, a division thereupon ensued; the names being called for, they were taken down, and are as follows:

## YEAS.

MESSRS. SWAYZIE  
SHERWOOD  
SOL'R GENERAL  
ELLIOTT  
WASHBURN  
McCRAE  
THOMPSON

## NAYS.

MESSRS. FERGUSON  
MACDONELL (York)  
ROGERS  
NELLES

Which was carried in the affirmative by a majority of three.

Then the said amendments were read.

A Message from the Honorable Legislative Council, by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Legislative Council to inform this Honorable House that they passed the Bill entitled “An Act for applying a certain sum of money therein mentioned to make good certain moneys issued and advanced by His Majesty through the Lieutenant Governor, in pursuance of an Address,” without any amendment.

And then he withdrew.

Members present were:

MR. SPEAKER  
MESSRS. SHERWOOD  
SOL'R GENERAL  
SWAYZIE,  
THOMPSON  
WASHBURN  
McCRAE  
ELLIOTT

At three o'clock in the afternoon Mr. Speaker adjourned the House for want of a quorum.

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*Friday, 2nd. March, 1804.*

Prayers were read.

Mr. Macdonell of York moved, seconded by Mr. Sherwood, that so much of the Order of the House as requires a day's previous notice be dispensed with, and that he have leave to bring in a Bill entitled “An Act for granting to His Majesty

a certain sum of money for the further encouragement of the growth and cultivation of Hemp in this Province, and the exportation thereof."

Leave was accordingly given.

Then the said Bill was read for the first time.

Then, on motion of Mr. Sherwood, seconded by Mr. Macdonell of York, the said Bill was read for the second time.

On motion of Mr. Macdonell of York, seconded by Mr. Washburn, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Nelles was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Nelles reported a progress, and asked leave to sit again.

Leave was given accordingly.

A Message from the Legislative Council, by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this House that they have passed a Bill entitled "An Act to repeal certain parts of an Act passed in the thirty fourth year of His Reign, entitled "An Act to establish a Superior Court of Civil and Criminal Jurisdiction, and to regulate the Court of Appeal, and to authorize His Majesty's Court of King's Bench in this Province to regulate certain Fees, Costs and Charges therein mentioned," and to request the concurrence of this House thereto.

And then he withdrew.

The said Bill was then read for the first time.

The House again resolved itself into Committee to go into the further consideration of the Bill entitled "An Act for granting to His Majesty a certain sum of money for the further encouragement of the cultivation and growth of Hemp within this Province, and the exportation thereof."

Mr. Speaker left the Chair.

Mr. Nelles again took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Nelles reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which amendments he was directed to report to the House whenever it should be pleased to receive the same.

The House then resolved that the said Report be now received and accepted.

Then, on motion of Mr. Sherwood, seconded by Captain Elliott, the said Bill was ordered to be engrossed and read a third time this day.

On motion of Mr. Sherwood, seconded by Captain Elliott, the House resolved itself into Committee to take into their consideration the contingent Accounts of both Houses, and the Petition of Isaac Swayzie, Esquire.

Mr. Speaker left the Chair.

Mr. Thompson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported a progress, and asked leave to sit again this day.

Leave was accordingly granted.

A Message from the Legislative Council, by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Legislative Council to inform this Honorable House that they have passed the Bill entitled "An Act to amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act to extend the

provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting Horned Cattle, Horses, Sheep and Swine to run at large," to which they have made some amendments, and request the concurrence of this House thereunto.

And then he withdrew.

On motion of Mr. Sherwood, seconded by Mr. Weager, the House again resolved itself into Committee on the Contingent Accounts of both Houses and the Petition of Isaac Swayzie, Esquire.

Mr. Speaker left the Chair.

Mr. Thompson again took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported that the Committee recommend that an humble Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to issue his warrant to the Receiver General to pay Isaac Swayzie, Esquire, the sum of forty five pounds, nine shillings and eight pence, to reimburse him for money expended in purchasing Hemp Seed, which the House will make good at the next Session of Parliament.

(Signed) Timothy Thompson, Chairman.

Which Report was accepted.

Mr. Clench moved, seconded by Mr. Nelles, that Mr. Sherwood and Mr. Washburn be a Committee to draft an Address to His Excellency the Lieutenant Governor, praying that he may be pleased to reimburse Isaac Swayzie, Esquire, the sum of money paid for and on account of the purchase of Hemp Seed.

Which was ordered accordingly.

Then Messrs. Sherwood and Washburn reported that they had drafted an Address to His Excellency the Lieutenant Governor, which they were now ready to submit to the House whenever it shall be pleased to receive the same.

The House then resolved that the said Address be now read.

Then Mr. Sherwood read the said Address in his place, which he afterwards delivered in at the Table, and is as follows:

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c.

May it please Your Excellency,

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, do most humbly pray that Your Excellency will be pleased to issue your warrant to the Receiver General to pay Isaac Swayzie, Esquire, the sum of forty five pounds, nine shillings and eight pence, for disbursements made by him in the purchase of Hemp Seed for the use of this Province, which sum we, the Commons of Upper Canada, will make good to Your Excellency in the next Session of Parliament.

Commons House of Assembly,

Friday, 2nd. March, 1804.



Then, on motion of Mr. Sherwood, seconded by Mr. Weager, the said Address was ordered to be engrossed.

The said Address was then read as engrossed, and signed by Mr. Speaker.

Mr. Sherwood moved, seconded by Captain Elliott, that Mr. Thompson and Mr. Nelles do carry up the said Address to His Excellency the Lieutenant Governor. Which was ordered accordingly.

Mr. Macdonell of York moved, seconded by Mr. Solicitor General, that the sense of the House be taken whether all Addresses should be ordered to be engrossed and then read previous to being signed.

The House then resolved that all Addresses shall be engrossed and read previous to being signed.

Then was read for the third time as engrossed the Bill entitled "An Act granting to His Majesty a certain sum of money for the further encouragement of the growth and cultivation of Hemp within this Province, and the exportation thereof."

On Mr. Speaker having put the question, Shall the Bill pass as now read, a division thereupon took place, the names being called for they were taken down, and are as follows:

## YEAS.

MESSRS. SOL'R GENERAL  
SH'FF MACDONELL  
SWAYZIE  
WASHBURN  
THOMPSON  
MACDONELL (York)  
SHERWOOD  
ELLIOTT  
WEAGER  
McCRAE

## NAYS.

MESSRS. NELLES  
ROGERS  
CLENCH

The same was carried in the affirmative by a majority of seven.

The said Bill then passed, and was signed by Mr. Speaker.

Mr. Thompson, seconded by Captain Elliott, moved that Mr. Macdonell of York and Mr. Washburn do carry up the said Bill to the Honorable the Legislative Council and request their concurrence thereto.

Which was ordered accordingly.

Messrs. Macdonell and Washburn reported that they had carried up to the Honorable Legislative Council the Bill entitled "An Act for granting to His Majesty a certain sum of money for the further encouragement of the growth and cultivation of Hemp within this Province, and the exportation thereof," and requested their concurrence thereto.

Then was read for the third time the engrossed Bill to regulate the Fees to be taken by the Clerks of the Peace and Sheriffs in the several Districts throughout this Province.

Which passed, and was signed by Mr. Speaker.

Mr. Washburn, seconded by Mr. Swayzie, moved that Mr. McCrae and Mr. Weager do carry up to the Legislative Council the Bill entitled "An Act to regulate the Fees to be taken by the Clerks of the Peace and Sheriffs in the several Districts throughout this Province.

Ordered accordingly.

Messrs. McCrae and Rogers, named to carry up to the Legislative Council the Bill to regulate the Fees to be taken by the Clerks of the Peace and Sheriffs in the several Districts throughout this Province, reported that they had carried up the said Bill, and did request their concurrence thereto.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.  
Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this House that they have concurred in passing the Bill entitled "An Act for granting to His Majesty a certain sum of money for the further encouragement of the growth and cultivation of Hemp in this Province, and the exportation thereof," without any amendment.

And then he withdrew.

Then, on motion of Mr. Sheriff Macdonell, seconded by Mr. Solicitor General, the Bill sent down by the Honorable Legislative Council entitled "An Act to repeal certain parts of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to establish a Superior Court of Civil and Criminal Jurisdiction and to regulate the Court of Appeal, and to authorize His Majesty's Court of King's Bench in this Province to regulate certain Fees, Costs and Charges therein mentioned," was read for the first time.

Then, on motion of Mr. Solicitor General, seconded by Mr. Sheriff Macdonell, Ordered, that the said Bill be read a second time to-morrow.

On motion of Mr. Rogers, seconded by Mr. Macdonell of York, the House resolved itself into Committee on the Bill entitled "An Act to repair the Road leading to Lake Simcoe."

Mr. Speaker left the Chair.

Mr. Washburn was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported a progress, and asked leave to sit again to-morrow.

Leave was accordingly given.

On motion of Mr. Macdonell of York, seconded by Capt. Elliott, the House adjourned.

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*Saturday, 3rd. March, 1804.*

Prayers were read.

Agreeable to the Order of the Day was read a second time an Act entitled "An Act to repeal certain parts of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to establish a Superior Court of Civil and Criminal Jurisdiction, and to regulate the Court of Appeal, and to authorize His Majesty's Court of King's Bench in this Province to regulate certain fees, costs and charges therein mentioned."

On motion of Mr. Solicitor General, seconded by Mr. Sheriff Macdonell, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Thompson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported that he was directed to inform the House that the Committee had gone through the consideration of the said Bill without any amendment.

Which report was received and accepted.

The said Act was then read for the third time, which passed, and was signed by Mr. Speaker.

Mr. Sheriff Macdonell, seconded by Capt. Elliott, moved that Mr. Macdonell of York and Mr. Clench do carry up the said Act to the Legislative Council and inform them that this House have concurred in passing the same without any amendment.

Which was ordered accordingly.

Mr. Macdonell of York, first named to carry to the Honorable the Legislative Council the Bill entitled "An Act to repeal certain parts of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to establish a Supreme Court of Civil and Criminal Jurisdiction and to regulate the Court of Appeal, and to authorize His Majesty's Court of King's Bench in this Province to regulate certain fees, costs and charges therein mentioned," reported that they had carried up the same.

Then was read for the first time the amendments made by the Honorable the Legislative Council in and to a Bill entitled "An Act passed in the forty third year of His Majesty's Reign entitled "An Act to extend the provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large."

Mr. Sheriff Macdonell moved, seconded by Capt. Elliott, that so much of the Rules of this House as direct that a Member intending to move any question shall give one day's previous notice, be dispensed with, and that those amendments be now read for the second time.

Ordered accordingly.

Then the amendments to the said Bill were read a second time.

On motion of Mr. Macdonell of York, seconded by Captain Elliott, the House resolved itself into Committee to take the said amendments into consideration.

Mr. Speaker left the Chair.

Mr. Clench was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Clench reported that the Committee had come to a resolution, which he was directed to submit to the House, and then report in his place.

Resolved, That it is the opinion of the Committee that the Bill as amended by the Legislative Council do pass.

On motion of Mr. McCrae, seconded by Mr. Swayzie,

Resolved, That this House doth concur with the Committee in the said Resolution.

On motion of Mr. Rogers, seconded by Mr. Clench, the said amendments were ordered to be engrossed.

Mr. Macdonell of York moved, seconded by Mr. McCrae, that Mr. Sheriff Macdonell and Capt. Elliott be Messengers to carry up to the Legislative Council the following Message.

Mr. Speaker,

The Commons have agreed to the amendments made in the Legislative Council in and to the Bill entitled "An Act to amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act to extend the provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large," and have concurred in passing the said Bill under the title of "An Act



to amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act to extend the provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large."

Accordingly the same was ordered.

On motion of Mr. Macdonell of York, seconded by Mr. Nelles, the House resolved itself into Committee to go into the consideration of the Bill entitled "An Act to provide for the amending and keeping in repair certain parts of the Road commonly called Yonge Street."

Mr. Speaker left the Chair.

Mr. Rogers was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported a progress, and asked leave to sit again this day.

Leave was accordingly granted.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

The Honorable the Legislative Council, finding there is some clerical error in the Messages sent by the House of Assembly to-day in respect of the amendments by them made in and to a Bill entitled "An Act to amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act to extend the provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large," the amended title not being correctly inserted in the said message, which they do request may be corrected.

And then he withdrew.

The House again resolved itself into Committee to go into the further consideration of the Bill to repair certain parts of Yonge Street.

Mr. Speaker left the Chair.

Mr. Rogers again took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported the said Bill as amended.

On motion of Mr. Macdonell of York, seconded by Mr. Rogers, the said Bill was ordered to be engrossed and read a third time this day.

Ordered accordingly.

Then was read for the third time as engrossed the Bill entitled "An Act to provide for the amending and keeping in repair certain parts of the Road commonly called Yonge Street."

Mr. Rogers moved, seconded by Mr. Nelles, that the Bill do pass, and that the title be "An Act to provide for the amending and keeping in repair certain parts of the Road commonly called Yonge Street."

Ordered accordingly.

The said Bill then passed, and was signed by Mr. Speaker.

Then Mr. McCrae moved, seconded by Mr. Sheriff Macdonell, that Mr. Macdonell of York and Mr. Nelles do carry up to the Honorable Legislative Council the Bill entitled "An Act to provide for the amending and keeping in repair certain parts of the Road commonly called Yonge Street," and also the following Message.

Mr. Speaker,

The Commons in their message of this day informing the Honorable the Legislative Council that they had agreed to the amendments made in the Honorable the Legislative Council in and to the Bill entitled "An Act to amend an Act

passed in the forty third year of His Majesty's Reign, entitled "An Act to extend the provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large," intended to have further said that they had concurred in passing the said Bill under the amended title of "An Act to repeal so much of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large," as relates to sheep, and to restrain the owners of Rams from permitting them to run at large during a certain time of the year, but perceive that by a clerical error the amended title has been mis-recited, in their said message. They do therefore request that such clerical error be rectified, and that the intention of the Commons be understood to have been to define the said Bill in the latter part of their said message by its amended title.

Messrs. Macdonell of York and Nelles reported that they had carried up the said message to the Legislative Council, and also the Bill entitled "An Act to provide for the amendment and keeping in repair certain parts of the Road commonly called Yonge Street," and did request their concurrence to the said Bill.

Agreeable to the Order of the Day, the House resolved itself into Committee on the contingent accounts of both Houses.

Mr. Speaker left the Chair.

Mr. Thompson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported a progress, and asked leave to sit again on Monday next.

Leave was accordingly granted.

On motion of Mr. McCrae, seconded by Mr. Swayzie,

The House adjourned till Monday next.

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*Monday, 5th. March, 1804.*

Prayers were read.

On motion of Mr. Swayzie, seconded by Mr. McCrae, the House resolved itself into Committee on the Contingent Accounts of both Houses of Parliament.

Mr. Speaker left the Chair.

Mr. Thompson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported that the Committee had made some progress, and directed him to ask leave to sit again to-morrow.

Leave was accordingly given.

On motion of Mr. Rogers, seconded by Mr. McCrae, the House adjourned until nine o'clock to-morrow morning.

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*Tuesday, 6th. March, 1804.*

Prayers were read.

On motion of Mr. Solicitor General, seconded by Mr. McCrae, the House resolved itself to go into the further consideration of the Contingent Accounts of both Houses.

Mr. Speaker left the Chair.

Mr. Thompson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported that the Committee had come to several resolutions, which he was directed to report whenever the House shall be pleased to receive the same.

The House then resolved that the Report be now received.

And the said Resolutions are as follows:

Resolved, That it is the opinion of the Committee that there is due to sundry persons, agreeable to the annexed accounts, sent down from the Honorable Legislative Council, and signed by their Speaker, for services performed during the present session, and for the purchase of stationery for the next session eighty three pounds, fifteen shillings and seven pence farthing.

Resolved, That it is the opinion of the Committee that there is due to sundry persons, agreeable to the annexed account, for services and labour performed during the late recess of Parliament and the present session, the sum of one hundred and fifteen pounds, thirteen shillings and one half penny.

Resolved, That it is the opinion of the Committee that it is expedient to advance the sum of thirty pounds to the Clerk of the House of Assembly, to enable him to purchase a supply of stationery for the ensuing session of Parliament.

Which report was accepted.

GOVERNMENT, Dr.

to George Law,

Gentleman Usher of the Black Rod.

No. 1	To amount of William account for sundries furnished to the Legislature .....	7.	8.	1½
No. 2	To Hugh McLean's washing &c. ....	2.	14.	4½
No. 3	" John Bassell's account for his attendance on the Legislative Council .....	13.	8.	9
No. 4	" Henry Hale's account for printing &c. ....		15.	0
No. 5	" John Collumbus for cleaning the stoves &c.....	10.	17.	7½
No. 6	" Paul Marion for teaming &c. ....		12.	6
No. 7	" William Cooper for materials furnished for the Office of the Legislative Council .....	9.	2.	9¾
No. 8	" John McBeath for desks &c. to the Office .....	9.	13.	11
No. 9	" William Smith for repairing official gallery &c....	7.	7.	6
No. 10	" Extra allowance to the Clerk of the Legislative Council for copying Clerks .....	1.	15.	0
No. 11	" A vote for twenty pounds to enable the Clerk of the Legislative Council to provide stationery for the next Session .....	20.	0.	0
		£83.	15.	7¼

Amounting to eighty three pounds, fifteen shillings, and seven pence farthing currency.

(Signed) H. Allcock,  
Speaker.



## Contingent account of the Honorable the House of Assembly.

<i>March 9.</i> To cash paid Philip Clinger and not brought into account of last session, as per receipt .....	1.	16.	3
<i>July 29.</i> Paid Paul Marion for carting five boxes to the Garrison containing laws for the Niagara and western Members of the House of Assembly, as per receipt .....		3.	11½
Rent for a House for storing the furniture of the House of Assembly .....	10.	0.	0
Amount of freight and cartage of Journals forwarded to the Western Members, paid by Messrs. G. Forsyth and Co. ....		4.	4½
Johnston's Dictionary in Octavo, purchased for the use of the Clerks' Office .....		16.	6
Freight of Stationery from Montreal to Kingston, being two barrels bulk .....	1.	16.	6
Storage of ditto at Kingston .....		2.	0
Freight of do from Kingston to York .....		10.	0
William Allan, Esq., per account .....	1.	5.	7½
J. Collumbus per account .....	10.	5.	0
John McBeath per account .....	23.	18.	6½
Forty days lighting fires and attending the Clerk's Office during the recess of Parliament, at 1.3d per day .....	2.	10.	0
Paid Mr. William Bailey for 30 days copying several writings, and comparing the same, at 5s. per day as per rec. ....	7.	10.	0
Mr. Duncan Cameron per account .....	4.	8.	1½
To the Messengers' Office Keeper for 40 days attendance during the present session, at 6.3d per day. ....	12.	10.	0
To the Copying Clerks as per their account .....	48.	5.	0
To the Door Keeper per account .....	4.	1.	4
Mr. Thomas Moseley, for firewood per account ....	5.	1.	3
Paid John Neilson for stationery for the use of the House of Assembly as per receipt .....	28.	10.	0
Cash paid for postage of a letter enclosing the aggregate assessments of the Western District .....		2.	5
To the Printer for two ornaments at 1s. each .....		2.	0
For all incidental charges allowed the Clerk to complete the business of the present Session .....	5.	0.	0
		<hr/>	
	£170.	13.	0½
		<hr/>	
Balance brought down .....	£115.	13.	0½
Cash voted by the House of Assembly for the purchase of Stationery for the ensuing Session .....	30.	0.	0
		<hr/>	
	£145.	13.	0½
		<hr/>	

## Provincial Currency.

By cash received to purchase stationery for the use of the present session .....	30.	0.	0
His Excellency the Lieut. Governor's Warrant issued on account of copying clerks, being the sum allowed by law for that purpose .....	25.	0.	0
By Balance .....	115.	13.	0½
	£170.	13.	0½

Then, on motion of Mr. McCrae, seconded by Capt. Elliott, the House resolved that an humble Address be presented to His Excellency the Lieut. Governor, praying that His Excellency will be pleased to issue his Warrant directed to the Receiver General in favour of George Law, Gentleman Usher of the Black Rod, for the sum of sixty three pounds and seven pence farthing, to enable him to defray the contingent expenses of the Legislative Council during the present session, and also that he will be pleased to issue his Warrant directed to the Receiver General authorizing and requiring him to pay James Clark, Esquire, Clerk of the Honourable Legislative Council, the sum of twenty one pounds, fifteen shillings, to enable him to defray the expenses of extra copying clerks during the present session, and to purchase stationery for the use of the ensuing session of Parliament, And that His Excellency will be further pleased to issue his Warrant on the Receiver General in favour of Donald McLean, Esquire, for the sum of one hundred and fifteen pounds thirteen shillings and one half penny, for the defraying of the contingent account of the House of Assembly and the payment of extra copying clerks during the present session, and thirty pounds to procure stationery for the use of the ensuing session of Parliament.

Mr. Sheriff Macdonell moved, seconded by Mr. Swayzie, That Mr. Solicitor General and Mr. Macdonell of York be a Committee to draft an Address to His Excellency the Lieutenant Governor, praying that he may be pleased to order payment of the several contingencies and moneys voted for the purpose of stationery for both Houses for the ensuing session of Parliament.

Which was ordered accordingly.

Mr. Solicitor General reported that they had drafted an Address to His Excellency the Lieutenant Governor, which he was ready to submit to the House whenever it should be pleased to receive the same.

The House then resolved that the said Address be now received.

Mr. Solicitor General then read the same in his place, which he delivered in at the Table, and which was afterwards read by the Clerk, and is as follows:

To His Excellency Peter Hunter, Esquire,  
Lieutenant Governor of the Province of Upper Canada, and  
Lieutenant General Commanding His Majesty's Forces in the  
Provinces of Upper and Lower Canada, &c. &c. &c.

May it please Your Excellency,

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, do most humbly pray that it may please Your Excellency to issue your warrant directed to the Receiver General; authorizing and requiring him to pay unto Mr. George Law, Gentleman Usher of the

Black Rod, the sum of sixty two pounds and seven pence farthing, in order to enable him to answer and satisfy certain contingent expenses of the Legislative Council during the present Session, and also that it may please Your Excellency to issue your warrant, directed to the said Receiver General, authorizing and requiring him to pay unto James Clark, Esquire, Clerk of the Legislative Council, the sum of twenty-one pounds, fifteen shillings, to enable him to answer and satisfy the wages of extra Copying Clerks employed during the present Session, and to provide a supply of stationery for the use of the next session of Parliament. And that Your Excellency be further pleased to issue your Warrant, directed to the said Receiver General, authorizing and requiring him to pay unto Donald McLean, Esquire, Clerk of the Commons House of Assembly, the sum of one hundred and forty-five pounds, thirteen shillings and one half penny, as well, in order to enable him to answer and satisfy the sum of one hundred and fifteen pounds, thirteen shillings and one half penny, for certain contingent expenses of the said Commons House of Assembly during the present Session; including the wages of extra Copying Clerks during the same and the preceding recess, and the sum of thirty pounds to enable him to provide a supply of stationery for the use of the ensuing Session of Parliament.

Which several sums of money the Commons will make good to Your Excellency during the next Session of Parliament.

Commons House of Assembly,  
Thursday, 6th. March, 1804.

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Then, on motion of Mr. McCrae, seconded by Captain Elliott,  
Ordered, That the said Address be now engrossed.

The said Address as engrossed was then read and signed by Mr. Speaker.

Ordered, That Messrs. Thompson and McCrae do present the said Address to His Excellency the Lieutenant Governor.

On motion of Mr. Sheriff Macdonell, seconded by Mr. Ferguson, the House resolved that all accounts which shall in future be presented by any individual for work or labour done, or for articles furnished for the use of this House, shall be sworn to; and the affidavit specify that the charges therein contained are the usual charges and the commonly received prices for such work and labour or for such articles so furnished.

On motion of Mr. Solicitor General, seconded by Mr. Nelles, the House adjourned.

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*Wednesday, 7th. March, 1804.*

Prayers were read.

Members present:

MR. SPEAKER,  
MESSRS. THOMPSON,  
SWAYZIE,  
SOL'R GENERAL,  
SHERIFF MACDONELL  
MACDONELL (York).

At one o'clock in the afternoon Mr. Speaker adjourned the House for want of a quorum.



*Thursday, 8th. March, 1804.*

Prayers were read.

Mr. Macdonell of York moved, seconded by Mr. McCrae, that an humble Address be voted to the King's Most Excellent Majesty, humbly beseeching His Majesty to accept the warmest assurances of our unalterable attachment to his sacred person and Government, expressing our regret that our remote situation excludes us from participating with our fellow subjects of the United Kingdom of Great Britain and Ireland in the glorious contest which at present engages His Majesty's Arms, and stating our hopes that His Majesty will aid our feeble efforts towards the construction of such Public Buildings as the administration of Public Justice and the preservation of Public Records require.

Which was ordered accordingly.

On motion of Mr. McCrae, seconded by Captain Elliott, the House adjourned for two hours.

The House being met, Messrs. Thompson and McCrae reported that in obedience to the Order of this House they had presented to His Excellency the Lieutenant Governor the Addresses of this House voted on the 2nd and 6th inst.

To which he was pleased to return the following answer.

Gentlemen,

I accede to the Address of the House of Assembly for issuing my warrant to the Receiver General for the sum of forty five pounds, nine shillings and eight pence, in favor of Isaac Swayzie, Esquire, for disbursements made by him in the purchase of Hemp Seed for the use of this Province.

Gentlemen,

I accede to the Address of the House of Assembly of the sixth March, 1804, and shall issue my warrant accordingly.

Mr. Macdonell of York moved, seconded by Mr. Sheriff Macdonell, that the House having voted an Address to the King's Most Excellent Majesty humbly beseeching His Majesty to aid our feeble endeavors towards the construction of proper buildings for the accommodation of the Legislative Council and Assembly of this Province, and of the Courts of Justice therein, and of suitable and convenient offices for the security and preservation of the Public Records, Documents and Instruments thereof, and it appearing conducive to the success of the purpose of the said Address that both Houses of Parliament should concur in a joint address to our Sovereign, this House do accordingly request a free and common conference with the Legislative Council on the subject of such Address, and that Mr. Sheriff Macdonell and Captain Elliott do carry up the following Message.

Mr. Speaker,

The Commons do request a conference with the Honorable the Legislative Council on the subject of a joint Address to the King's Most Excellent Majesty, humbly imploring His Majesty's most gracious aid and assistance in the furtherance of the exertions made by the Parliament of this Province towards erecting proper and suitable buildings for the public uses of this Province.

Which was ordered accordingly.

Mr. Sheriff Macdonell and Captain Elliott reported that they had carried up the said Message.

A written Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

The Honorable the Legislative Council have acceded to the Message sent by the House of Assembly to-day, requesting a conference with them upon the subject of a joint Address to the King's Most Excellent Majesty, humbly imploring His Majesty's most gracious aid and assistance in furtherance of the exertions made by the Parliament of this Province, towards erecting proper and suitable buildings for the public uses of the Province; and to inform the House of Assembly that they have appointed a Committee of the Whole House to meet a Committee of the Whole House of Assembly upon that subject, whom they are now ready to receive in the Council Chamber.

Legislative Council Chamber,  
8th. March, 1804.

(Signed) H. Allcock,  
Speaker.

And then he withdrew.

On motion of Mr. Macdonell of York, seconded by Mr. Nelles,

Ordered, That a Committee of the Whole of this House, or of so many Members thereof as may be disposed to attend, do confer with a Committee of the Legislative Council on the subject of this day's Message.

Accordingly a Committee of the Whole House went up to the Legislative Council Chamber, where they met in conference with the Committee of the Whole of the Honorable Legislative Council upon the subject matter of a joint Address to the King's Most Excellent Majesty and His Excellency the Lieutenant Governor.

Mr. Solicitor General, from the Committee of the Whole House, reported that they had been in the Legislative Council Chamber, where they met a Committee of the Whole House of the Honorable Legislative Council, and that the Committee of each House had jointly concurred in an Address to the King's Most Excellent Majesty and His Excellency the Lieutenant Governor.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

The Honorable Legislative Council have, in consequence of the conference with a Committee of the Whole of this House this day, sent down an Address to the King's Most Excellent Majesty and His Excellency the Lieutenant Governor for the concurrence of this House.

And then he withdrew.

The said Addresses were then read by Mr. Speaker, and are as follows:

To the King's Most Excellent Majesty,  
Most Gracious Sovereign,

We, Your Majesty's most dutiful and loyal subjects, the Legislative Council and House of Assembly of Your Majesty's Province of Upper Canada in Parliament assembled, having taken into our serious consideration the communication which Your Majesty's Lieutenant Governor was pleased by his Speech to make to us at the opening of the present Session respecting the dangerous state of the Public Records and evidences of title to the landed property of this Province, and the appropriation of a fund for the erection of proper buildings in which reasonable security might be afforded to those documents, humbly pray to submit to Your Majesty that being truly sensible of the importance of the subject so recommended to our consideration by Your Majesty's said Lieutenant Governor, we have passed a Bill for levying and raising out of the duties and taxes already imposed, or hereafter to be imposed, by the Legislature of this Province, an annual sum of four



hundred pounds for the erection of such Public Buildings as shall be found adequate to the purposes specified in Your Majesty's and Lieutenant Governor's Speech, and also for the erection of proper Buildings for the meeting and assembling of the Legislative Council and House of Assembly, and wherein to hold Your Majesty's Courts of Justice in this Province; and we have submitted such Bill to Your Majesty's said Lieutenant Governor for his assent to the same in Your Majesty's name.

Deeply impressed with a due sense of Your Majesty's Parental regard for the interests of Your Majesty's subjects in Upper Canada, we feel it our duty humbly to express to Your Majesty our gratitude for the signal marks of Your Royal Beneficence, which Your Majesty has ever been graciously pleased to confer on these parts of Your Majesty's Dominions since the establishment of this Province and our happy Constitution; and humbly pray further to submit to your Royal consideration that we lament sincerely that from the infant state of the Province we are not able to make a more ample provision for the attaining of these desirable objects; and being truly sensible that such provision is totally inadequate to such purposes,

Humbly implore Your Majesty that Your Majesty would be graciously pleased to grant to us such aid as Your Majesty in Your Parental regard for your subjects of this Province shall graciously vouchsafe to bestow, to enable us to secure our Public Records against destruction by fire and other casualties, and to enjoy the property which Your Majesty in your bounty has been graciously pleased to confer upon your subjects in this Province, for the meeting and assembling of the Legislative Council and House of Assembly, and to enable Your Majesty's Judges with more convenience to administer Justice. Humbly beseeching Your Majesty would be graciously pleased to accept our most dutiful assurances of our firm and unshaken loyalty and attachment to Your Majesty's Most Sacred Person and Government.

Legislative Council Chamber.

Thursday, 8th. March, 1804.

Commons House of Assembly,

Thursday, 8th. March, 1804.

By Order of the House.

(Sd.) H. Allcock,

Speaker.

(Sd.) Richard Beasley

Speaker.

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To His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c.

May it please Your Excellency We, His Majesty's most loyal and dutiful subjects, the Members of the Legislative Council and House of Assembly of the Province of Upper Canada in Parliament assembled, having resolved humbly to address His Majesty, praying that His Majesty would be graciously pleased to grant to us such aid as His Majesty in His Parental regard for his subjects of this Province shall graciously vouchsafe to bestow to enable us to secure our Public Records against destruction by fire, and other casualties, and to enjoy the property which His Majesty in his bounty has been graciously pleased to confer upon his subjects in this Province, for the meeting and assembling of the Legislative Council and House of Assembly, and to enable His Majesty's Judges with more con-



venience to administer Justice; humbly beseeching His Majesty that he would be graciously pleased to accept our dutiful assurances of our most firm and unshaken loyalty and attachment to his sacred person and Government, do intreat Your Excellency that you would be pleased to transmit to the Right Honorable Lord Hobart, one of His Majesty's principal Secretaries of State, the said humble Address; and we have further to pray of Your Excellency that you would also be pleased to honor us with Your Excellency's recommendation of such an Address to His Lordship's favor.

Legislative Council Chamber, Thursday, the eighth day of March, one thousand eight hundred and four.

By order of the House.

(Signed) H. Allcock  
Speaker.

Commons House of Assembly,  
Thursday, the eighth day  
of March, one thousand,  
eight hundred and four.

(Signed) Richard Beasley  
Speaker.

The House then unanimously resolved that the said Addresses do pass, and that Mr. Speaker do sign the same.

Then Mr. Macdonell of York moved, seconded by Mr. Solicitor General, that Messrs. Swayzie and Elliott do go up and inform the Honorable Legislative Council that the Commons have concurred unanimously in the joint Address to the King's Most Excellent Majesty and His Excellency the Lieutenant Governor, on the subject matter of this day's conference, sent down to them by this House, and that Mr. Speaker, by order of the House had signed the said Addresses.

Messrs. Swayzie and Elliott reported that they had delivered to the Honorable Legislative Council the Message of this House.

Then on motion of Mr. Macdonell of York, seconded by Mr. Solicitor General.

Ordered, That Mr. Swayzie and Mr. McCrae do wait on His Excellency the Lieutenant Governor to know at what time he will be pleased to receive the joint Addresses of both Houses of Parliament.

On motion of Mr. Ferguson, seconded by Mr. McCrae, the House adjourned until nine o'clock in the forenoon to-morrow.

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*Friday, 9th. March, 1804.*

Prayers were read.

Messrs. Swayzie and McCrae reported that they had waited on His Excellency the Lieutenant Governor and that he had been pleased to appoint this day at eleven o'clock in the forenoon to receive the joint Addresses of both Houses of Parliament.

Then Mr. Macdonell of York moved, seconded by Mr. McCrae, that Mr. Swayzie, Mr. Solicitor General, Captain Elliott and Mr. Sheriff Macdonell, do wait on the part of this House upon His Excellency the Lieutenant Governor with the joint Addresses of both Houses of Parliament to the King's Most Excellent Majesty, and the joint Address to His Excellency the Lieutenant Governor.

Which was ordered accordingly.

Mr. Swayzie reported that the messengers had waited on His Excellency the Lieutenant Governor, with the joint Address of both Houses of Parliament to the King's Most Excellent Majesty, and to His Excellency the Lieutenant Governor, and that he had been pleased to return the following answer.

Gentlemen,

I accede to your Address to me of the eighth of March, one thousand eight hundred and four, and will transmit to the Honorable Lord Hobart, one of His Majesty's principal Secretaries of State, the Address of the Legislative Council and House of Assembly to His Majesty, with my warm recommendations of the same to His Lordship's kind offices.

A Message from His Excellency the Lieutenant Governor, by Mr. George Law, Gentleman Usher of the Black Rod.

Mr. Speaker,

I am commanded by His Excellency the Lieutenant Governor to acquaint this Honorable House that it is His Excellency's pleasure that the Members thereof do forthwith attend upon His Excellency in the Legislative Council Chamber.

Accordingly Mr. Speaker with the House went up to attend His Excellency, when His Excellency was pleased to give in His Majesty's name the Royal assent to the following Public and Private Bills, viz.

An Act for the exemplary punishment of all and every person and persons who shall seduce, or attempt to seduce, or aid or assist, or attempt to aid or assist, any soldier to desert His Majesty's Service, or who shall harbor, conceal, receive or assist any deserter from such service.

An Act for the better securing the Province against all seditious attempts or designs to disturb the tranquility of this Province.

An Act to repeal so much of an Act, passed in the thirty-fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting Horned Cattle, Horses, Sheep and Swine, to run at large, as relates to Sheep and to restrain the owners of Rams from permitting them to run at large during a certain time of the year."

An Act to repeal certain parts of an Act, passed in the thirty-fourth year of His Majesty's Reign, entitled "An Act to establish a Superior Court of Civil and Criminal Jurisdiction, and to regulate the Court of Appeal, and to authorize His Majesty's Court of King's Bench in this Province to regulate certain Fees, Costs and Charges therein mentioned."

Mr. Speaker then said,

May it please Your Excellency to approve of the eight following Bills, which the House of Assembly, with the concurrence of the Legislative Council have passed, for aid to His Majesty.

An Act for granting to His Majesty a certain sum of money for the further encouragement of the growth and cultivation of Hemp within this Province, and the exportation thereof.

An Act to promulgate the Provincial Statutes, and also to repeal so much of an Act, passed in the forty first year of His present Majesty, as relates to printing the Journals.

An Act to explain and amend an Act, passed in the forty-third year of His Majesty's Reign, entitled "An Act for the better securing to His Majesty, His Heirs and Successors, the due collection and receipt of certain Duties therein mentioned.

An Act for granting to His Majesty a certain sum of money out of the Funds applicable to the uses of this Province, to defray the expenses of amending and repairing the Public Highways and Roads, laying out and opening New Roads, and building Bridges in the several Districts thereof.

An Act for granting to His Majesty a certain sum of money for the purposes therein mentioned.

An Act appropriating a certain sum of money annually to defray the expenses of erecting certain Public Buildings to and for the uses of this Province.

An Act for applying a certain sum of money, therein mentioned, to make good certain moneys issued and advanced by His Majesty through the Lieutenant Governor, in pursuance of an Address.

To which Bills His Excellency was also pleased to give the Royal assent in His Majesty's name.

His Excellency was pleased to withhold His Majesty's assent from the following Bill.

An Act to provide for compiling and printing all the Statutes of this Province, and to repeal part of an Act, passed in the forty-first year of the Reign of His present Majesty, relative to printing Journals.

Then His Excellency was pleased to make the following Speech to both Houses.

Honorable Gentlemen of the Legislative Council and Gentlemen of the House of Assembly.

Your zeal for the public welfare, manifested by your attention to the various subjects which I recommended to your consideration, and to the other objects which have occupied your Councils during the present Session, call for my acknowledgments; and I trust that the wise and salutary laws which have resulted from your labours and exertions will afford very considerable satisfaction to all who feel a sincere attachment to His Majesty's Person and Government, and a cordial solicitude for the increasing prosperity of this Province.

In closing the present Session, which the situation of the Public Business now enables me to do, I have to express a confident hope that prudent and salutary measures will mark the future conduct of those who may be called together in this place for the discharge of their Legislative functions. This will not fail to ensure the favor of the best of Sovereigns, will establish a claim to the esteem and approbation of all whose good opinion merits consideration, and must eventually produce the most beneficial consequences to these parts of His Majesty's Dominions.

After which, the Honorable Speaker of the Legislative Council said.



Gentlemen of the Legislative Council, and Gentlemen of the House of Assembly,—

It is His Excellency, the Lieutenant Governor's, will and pleasure that this Provincial Parliament be prorogued until Monday, the Sixteenth day of April next, to be then here held; and this Provincial Parliament is accordingly prorogued until the said Monday, the Sixteenth day of April next.

---

I do hereby certify that the above and what is written on the foregoing (pages) is a true copy of the Journal of the Assembly in Upper Canada, being the fourth session of the third Provincial Parliament, assembled at York on the First day of February last, agreeable to the Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in Upper and Lower Canada, and prorogued by His Excellency the 9th. day of March last.

Donald MacLean,

Clerk Assembly

Clerk of the Assembly's Office,

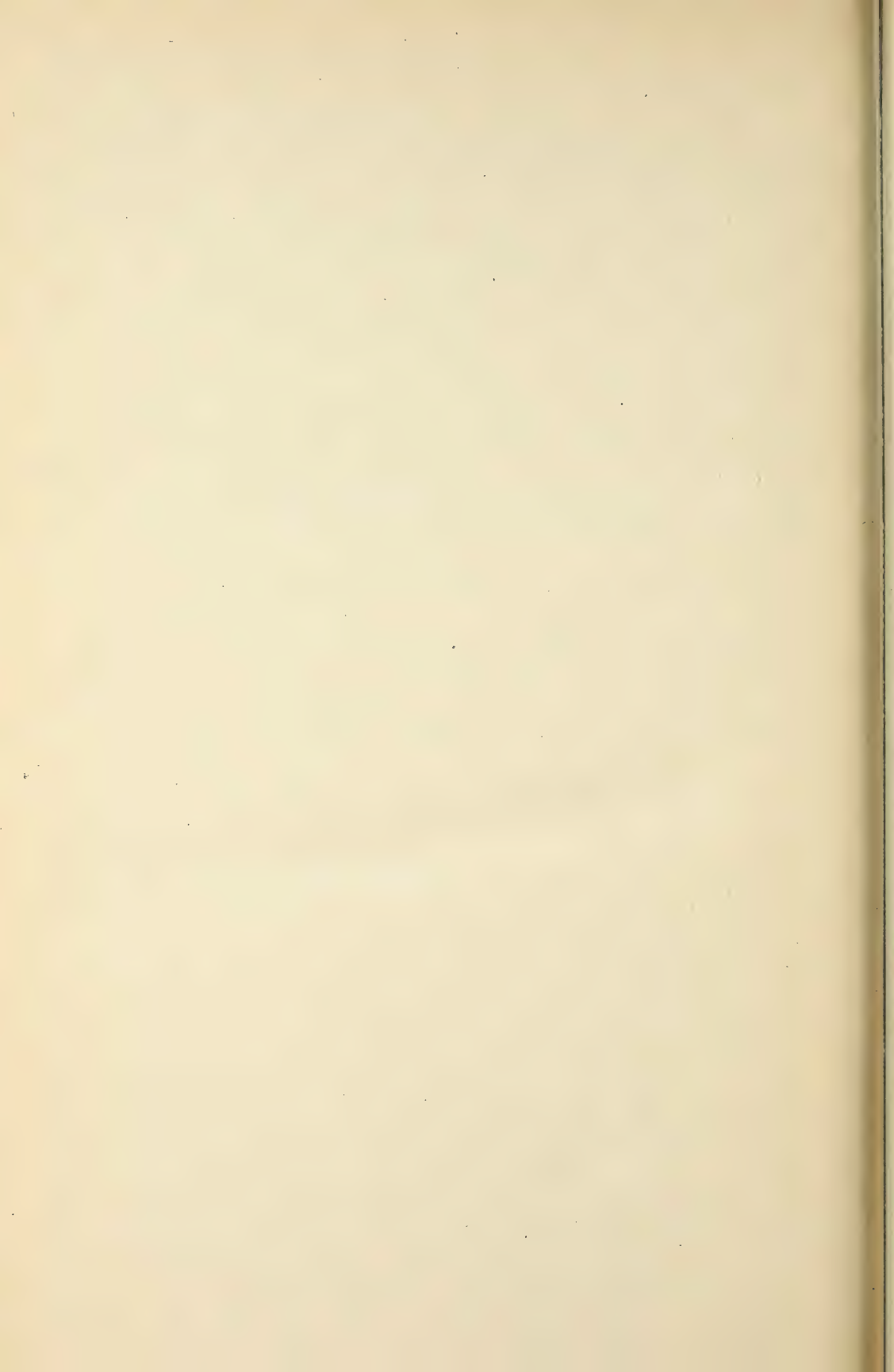
York, Upper Canada, 17th. April, 1804.

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[Certified to be a true copy.

George Mayer,

Colonial Office, 25 August, 1853.]



# INDEX.

## A.

Accounts, Public, 87, 184-6, 190, 210-1-2, 234-5, 261, 297-9, 326-8, 393-8-9, 400-1, 417, 436-7-9. Check upon, 90. Inspector General of, 262. Investigation of, 292. Duties, 234, 261, 336, 400, 434-9. Licenses, Still, Shop and Tavern, 234, 261, 299, 336, 434. Merchandise, 261, 336, 434. Printing, 91, 101, 122, 235, 309. Stationery, 241-2, 315-6, 400-1. Revenue, 48, 50-6, 89, 99, 119, 351, 420, 439. Treasurer's, 64, 101-2, 149, 150-1-2, 181-7. Clerk's, 239, 241-2, 315, 401. Copying Clerk's, 235-6, 261, 401, 472. Contingent, 164, 310, 377, 462-4-5, 470-1-3. Disbursements, 91, 122, 386, 402-5.

Acts of Parliament of Upper Canada: Royal assent to (1792), 17; (1793), 42; (1798), 92; (1799), 123; (1800), 166; (1801), 243; (1802), 317; (1803), 408; (1804), 479. French translation of, 23. Printer, 58. Printing, expenses, etc., 91, 101, 122, 134-6. Distribution of, 137. Confirmation of, 141. As to taking effect, 227-9, 231-2, 243.

Acts of Parliament of Lower Canada, 100.

Addington, County, Death of Member for, 97. Election of new Member, 98. Representation vacated, 304. As to election of new Member, 306.

Addresses, (See Speeches), To His Majesty, 41, 475-6. To the Lieutenant-Governor, 236, 242, 293, 419, 455. Resolution respecting, 466.

Adolphus, Late Township of, 3.

Adolphustown, District of the Township of, see Adolphus. Elections.

Advocates (see Licenses), Ordinance concerning, 80-3, 92. As to practising in the Court of Requests, 296.

Agreement, Provisional, see Duties.

Ahern, Samuel, 400.

Aliens, Protection against, 417, 420.

Allan, William, 315, 400, 441, 472.

Allcock (Mr. Justice), Henry, 154, 174-6, 183, 192-3-4, 350, 441, 471.

Allies, Great Britain's, 22-4.

Ameliasburgh, Petition from, *re* Grievances, 256-9.

Amherstburg, Town of, 395.

Ammunition, see Arms.

Anarchy in France, 24.

Ancaster, Town of, Petition from, 370.

Anderson, James, 174.

Apprentices, 104-5-7.

Archives (see Records), Protection of, 420, 435.

Arms, His Majesty's, Printing of for both Houses, 405.

Arms, Ammunition, etc., To prevent buying from Indians, 208, 211-3-7.

Arrests, To prevent, 224, 244.

Arts and Manufactures, Encouragement of, 32.

Ashes, Pot and Pearl, see Inspectors.

Assent, Royal, see Acts.

Assessment, New mode of, 103.

Assessments (see Rates), Laying and collecting of, 34-6-9, 40-2, 51, 109, 110-7. More uniform laying of, 58, 60-2-4-6-9, 77-9, 92, 133-7, 142-5-7, 153-4-5-6-7-8-9, 160-1-2-6, 256-9, 264, 270-4, 281-2-3, 307, 310, 335, 349, 351-8-9, 362, 373-7-9, 390-9, 409. Property subject to, 393-6, 409, 418, 441. In Home District, 440-3.

Attorneys, (see William Dickson. Clerks. Licenses). Ordinance concerning, 80-3, 92. Nomination and appointment of, 269. As to practising in the Court of Requests, 296. *Re* being struck off the Roll, 302. As to being called to the Bar, 305. In Lower Canada, 275.

Auction, Goods sold at, see Duties.

## B.

Baby, Francis, Member of Parliament, x.

Bailey, William, Account of, 472.

Barristers (see Licenses), 302-5.

Bassell, John, Account of, 471.

Bears, Destruction of, 28, 30-1-2-4, 42, 104-5, 334, 343, 408.

Beasley, Richard, Member of Parliament, x. Re-elected, 175. Elected Speaker, 324.

Beman, Elisha, 183.

Belgrave, Viscount, 140.

Bell, Alexander, 300.

Bell, Mr., Member of Parliament, 281.

Bennet, Mr., Printer, 309.

Berlin, Township, Petition from, 133.

Bertie, Township, Petition from, 135.

Bethune, John, 430.

Billiard Tables (see Duties), 438.

Bills, (see Acts), *Re* sending to the Legislative Council, 3, 288. Public, 3. Private, 3, 285. Fees on, 121. *Re* raising revenue, 159. *Re* bringing in, 222-4. Rejected, 291, 310. Money, 288, 310. Amendments, 288. From Upper House, 311. Unparliamentary form of, 311. *Re* Royal Assent, 312.

Birkie, Mr., 261.

Blackstone's Commentaries, 158.

Blecker, Jno., 174.

Board, His Majesty's Navy, 406.

Boats, Resolution respecting, 352.



Books, Papers and Records of the House, As to examining, 141. Report on, 154. Additional to be procured, 157-8, 311-4. Law, 158.

Booth, Joshua, Member of Parliament, x. Boundaries of Townships, 65, 70-5-6-8, 80-1, 92, 109, 115-7-8, 269, 271-2, 283, 301. Lots on the Thames, 184, 190-1-8.

Bounty (see Hemp. Wolves). To Indians, 360.

Brackenridge, Jas., 174.

Brant, Joseph, Captain, 335, 360.

Bridges, As to erecting in Kent—Western District, 184, 190. On Indian land, Central road, 313. York to head of Lake Ontario; Delaware to Moravian-town; river Thames to river Pike; Bay of Quinté, Mohawk lands; York to river Trent, Dundas street, 391. As to defraying expenses of, 386, 392, 402-3-5, 437-8, 442, 454, 480.

Britons, 21, 22.

Buell, William, Elected Member, 174. Leave of absence, 453.

Buildings, Public, As to erecting, 435, 440-2-4, 451-3-4-7, 475. Legislative Council, House of Assembly, Courts of Justice, 477. Annual sum for, 476-7, 480.

Burns, David, Master in Chancery, 162. Evidence *re* Henry Allcock, 192. Clerk of the Crown. Court of King's Bench; Common Pleas, 337-8. Contempt of privileges, 338. In custody, 339. Question *re*, 340. Ordered to the Bar, 341-4. *Re* Arrest, 343-4. At the Bar, 346. Apology of, 347. Offices under the Crown, 347-8. *Re* custody; liberation ordered, 348, 350. Liberated, 351. As to bearing messages, 356-7.

Burns' Justice, 158.

Butter, 257.

Burton, Henry, 401.

By-laws, see Sandwich.

## C.

Cameron, Archibald, 183.

Cameron, D., or Duncan, 401, 441, 472.

Cameron, Mr., 241.

Cameron, Mrs. Duncan, 315.

Campbell, Alex., Member of Parliament, x.

Canada, Upper, or the Province (see Constitution. Commerce. Province. Government. Duties. Trade), Natural advantages of; colonization, 2, 128. Tranquility of, 57. As to better division of into Counties and Districts, 72-4-5-7-9, 82-3-4-5-7, 92, 290. Reported attack on from the Mississippi; Education, 99. As to better securing against enemies, 102-4. Defence of, 322. Annual sum granted to by the British Parliament, 435.

Canada, Upper and Lower (see Duties), As to intercourse between, 26-7-8, 30-2-8. Reciprocal interests between, 55. Harmony between, 101.

Canada, Lower (see Government. Duties), Land communication with, 14. Transport to, 409.

Canadians, Lower, 258.

Canal at Fort Erie, 104.

Candles, Candlesticks, 329, 401.

Capital, (see Seat of Government), Communication with the, 124.

Carleton, County of, Alteration of former name of, 84.

Carriages to let and hire, 267. Post, 291.

Cartwright, Hon. Richard, 104, 359.

Cathcart, Lord, 140.

Cattle, (see Exchange), as to ranging of, 12, 197-9, 226, 279, 359, 361-7-8-9, 374, 384-6-8-9, 408, 440-2, 465-8-9, 470-9. In Cornwall, 386-7. As to Impounding in Western District, 133-4-6-8.

Chaplain, (see Prayers. Salaries), 162.

Chapmen, see Licenses.

Charlottetown, Town and Township, see Courts.

Chatham, Town of, see Courts.

Chesterfield, Earl of, 140.

Chewitt, W., or William, 192, 174, 441.

Children, Orphan, see Orphans.

Churches:

United Brethren or Moravians, 206.

Methodists', 265.

Clark, James, Clerk of the Legislative Council; Sheriff of Niagara (see Salaries. Accounts), 162, 175, 255-6, 261-4, 350, 473-4.

Clark, Thomas, 76, 104.

Clench, Ralph, 135, 175, 440.

Clergy, see Lands.

Clerks, Fees of Certain, 227, 337. As to Attorneys taking, 359, 365-9, 382-4, 408. Copying, 196, 310, 381; wages of, 200, 236, 381, 400-1-2-5, 455-8, 472-3-4; extra allowance for, 471. Of the Peace, 418. Legislative Council, see Accounts. Common Pleas, Crown, see David Burns. House of Assembly, see Salaries. Angus Macdonell. Minutes. Commission. James Clark. Accounts. Donald McLean.

Clinger, Philip, 472.

Cloath, Samuel Fan, 400.

Clothing, *re* buying from Indians, 208, 211-3-7.

Coffin, William, 174.

Cole, David, 90.

Collectors, (see Entries), as to Appointing, 269, 277, 317. At Niagara, 283-4.

College, see University.

Collumbus, John, 471-2.

Commentaries, Blackstone's, 158.

Commerce:

Canada and the United States, 55. As to Extending, 451.

Commission of the Clerk of the House, 180.

Commission of the Peace, 190-4.

Commissions, *re* persons holding, 304.

Commissioners, (see Oath), appointment of certain, 38, 42, 132-6. Provisional Agreement, Appointment of, 55, 99; indemnity to, 122, 235. Court of Requests, authority of, 269, 271.

Committee, Select, 285.  
 Commons, *re* representation of, 440-3-5-8, 451.  
 Constitution, British, Establishment of in Canada, 1. Excellence of, 43. Possession of by Canada, 129, 131.  
 Constitution of Upper Canada, 18, 131, 167, 178.  
 Contracts for servitude, *see* Slaves.  
 Conveyances, 62-3-4-5-6, 77-8, 82.  
 Conviction, Summary, *see* Liquors.  
 Coone, John, 90.  
 Cooper, William, 330, 383, 471.  
 Cornwall, John, Member of Parliament, x.  
 Cornwall, Town of, (*see* Cattle), Assessment, 395.  
 Cornwallis, Marquis, 22.  
 Coteau-du-Lac, Port of, (*see* Duties. Revenue), 14.  
 Council, Executive; Legislative, ix.  
 Counties, *see* Upper Canada.  
 Courthouse at Newcastle, 301, 352, 432.  
 Courthouses, as to raising money to build, 9, 10-1-4-5-6-8.  
 Courts, (*see* Justice), Want of professional men to hold, 186. Authority for the erection of, 225, 243. As to holding in Charlotteville, 283.  
 Appeal, Court of, As to regulating, 85-6-8, 92, 464-7-8, 479.  
 Chancery, Court of, As to constituting, 329, 331.  
 Common Pleas, Court of, Summary Proceedings of, 14-5-7. Witnesses, 30-1-2. Jurisdiction of, 31-2.  
 District Courts, (*see* Debts), Jurisdiction of, etc., 73-6, 80-1-6-7, 92, 141-2-3-4-5, 181, 198-9, 203-4-5-8, 331, 388, 391, 420-2. As to altering time of holding, 181-7-8, 215-6-7. As to extending in Chatham, 184, 190. As to holding in London, 186.  
 Home District Court, Judge of, 70.  
 King's Bench, Court of, *re* practice of, 61-2-7-8-9, 72-3-4-5-7, 83-5-6-8, 92, 200-1-4-5-8, 230, 358, 364. Establishment of, 244.  
 Probate, Court of, As to establishing, 34-5, 42.  
 Quarter Sessions of the Peace, Court of General, (*see* Commission of the Peace), As to time and place of holding, 26, 34-7, 40-2, 244. As to altering time of holding, 181-6-7-8. As to holding in Chatham, 184, 190. As to improvement of in Midland, 190. As to time of holding in Johnstown, 190-1-6-8, 200-1-2-8, 215-6-7-9, 221. As to time of holding in Niagara, and in London, 196-8, 200-1-2-8, 215-6-7-9, 221. As to authority for the erection of, 225, 243.  
 Record, Court of, (House of Assembly), 344.  
 Requests, Court of (*see* Attorneys), *re* Jurisdiction and Proceedings of, 73-6, 80-1-6-7, 92, 141-2-3-4-5, 181, 296, 332-4-8, 361-2-8. Doubts respecting, 276, 283. Jurisdiction of, 280. Commis-

sioners of, 422-8. Mileage, 87.  
 Superior Court, As to establishing, 85-6-8, 92, 464-7, 479.  
 Supreme Court, As to establishing, 468.  
 Surrogate Court, As to establishing, 34-5, 42.  
 Cousins, S. D., 315.  
 Criminals, Execution of, 257.  
 Crowland, Township, petition from, 133-5.  
 Cummings, Thomas, 135.  
 Currency, Quebec, 7, 316. Of the Province, 70.  
 Custom-office at Niagara, 284. At New-castle, 352.  
 Customs, (*see* Duties. Collectors), To prevent frauds, 397.

## D

Darling, John, 432.  
 Debtors, *Re* effects and property of absent, 26, 30-2-3. *Re* pass on leaving country, 48, 50. Procedure against absconding, 214-5-8, 220-1-4-9, 230, 244, 266, 271.  
 Debts, (*see* Defendants), Recovery of small, 14-8. Arrest for small, 332. Satisfaction of small, 336, 369, 380-9. Provincial, 25. Public, (*see* Supplies), 122, 309. Colonies and Plantations, 187. Process against houses, lands and real estate for the satisfaction of, 190-1-8, 204-6-9. *Re* means to recover, 218, 220. More easy recovery of 260, 270-3, 283. Recovery in District Courts, 336. Simple contract, 428.  
 Deeds, Informalities in, 34. Affecting Lands, Tenements or Hereditaments, 62-3-4-5-6, 77-8, 82. Waste Crown Lands, 457.  
 Defendants, to restrain from pleading a joint debt, 266, 271-7.  
 Delaware Town, *see* Bridges. Roads.  
 Denkey, C. T., 206.  
 Departments, 57.  
 Desertion, *see* Militia.  
 Dickson, William, Attorney, licensed to practise law, 359, 361-5-9, 377, 382-4.  
 Dictionary, Johnston's, 472.  
 Disbursements, *see* Accounts.  
 Distillers, *see* Duties.  
 Districts, (*see* Upper Canada), Names of, to alter, 14-5-6-8. Boundaries, 56. Public use of, 308.  
 Ditches, 26.  
 Dixon, John, 106, 109.  
 Documents, *see* Records.  
 Doorkeeper, (*see* Salaries), 162.  
 Dorland, Philip, (Quaker), Member for Prince Edward and Adolphustown, x. 3. 4. Refuses to take oath; declared incompetent, 4.  
 Dundas County, *see* Fences.  
 Dundas Street, (*see* Bridges) *Re* repairing, 391.  
 Dunham, Darius, 115-9.  
 Dunn, John, 135.



Durham County, Petition from, 179, 183-6, 192-3-4-5, 237, Proclamation *re*, 290. Petition from York County *re*, 299.

Duties, (see Public Accounts. Revenue. Licenses), Act respecting, 70. Payment of, 89, 90, 275. Revision of law imposing, 326. Collection of, 351, 375, 380-4-5-9, 409, 422-3-4, 447-8, 450-5, 480. Billiard tables, 371-5-8, 390-1-8, 425-8. Coteau-du-Lac, 56-7, 70, 99, 100, 146, 151-2, 178, 261, 336, 434.

Licenses, 25, 50, 89, 91, 108, 149, 150-1. Port and license, 336, 400. Innkeepers, Shopkeepers and Distillers, 187-8-9, 261, 378. Stills, 129, 133-4-5, 336, 434, 447-8.

Liquors and Wines, Retailers of, 6, 10, 25. Imported, 37-8. Wine and Spirits, imported, 9, 11-3. Spirits and High Wines, imported; High Wines from Lower Canada, 352.

Merchandise and Goods sold by auction, 6, 11-3-5. From the United States, (*re* duty as on goods from Great Britain), 195, 201, 213-4, 224, 231-2, 244, 252, 269, 272-8, 284, 375-8-9, 384-5-7, 397-9, 409, 419, 421. From Lower Canada, 234, 262, 275, 299, 400, 439. At Niagara and Queenston, 435.

Provisional Agreement with Lower Canada relating to Duties, (see Commissioners), 55, 99, 100-3-4-5-6, 110, 123, 181, 201-5-9, 212-3-6, 244.

## E

Eastern District, 429.

East Indies, 22.

Elections, First General, ix. Prince Edward and Adolphustown, 3, 4, 23. Addington, 98. Kent, 127. Writ issued for a new Parliament, 171. Durham, Simcoe and York, 183, 195, 237. *Re* contested, 183-5-6. As to petitions respecting undue, 186.

Electors, To better define qualifications of, 160-6, 182-5, 440-3-9, 453.

Elliott, Matthew, 175.

Elmsley, Hon. John, 383.

England, or Mother Country, 123, 151.

Entries for collectors, 352-3.

Erie, Lake, *Re* communication with Lake Ontario, 106-7, 136.

Essex County, (see Statute Labor), Representation of in Parliament, 142.

Estate, Personal, Rates on, 25.

Estate, Real, (see Property, Real and Personal. Debts), Rates on, 25, 388. To enable Femmes Covert to alien, 197, 200-2, 244. To enable married women to alien and convey, 355, 360-3-7-8, 372-3-4, 408.

Estates, Leasehold, 360.

Europe, 22-4, 41, 56-7, 122-4-9, 131, 330.

Exchange for live stock, dry-goods, etc., 257.

Expenditures, *Re* discharge of, 453-4-5-7-8, 461-3.

## F

Fairfield, Indian town on the Thames, 206-7.

Fairfield, William, x. Elected member for Addington, 98.

Fairs, New Johnstown, 26. Authority for meetings, 28. Glengarry, 255-7-8-9. Sir John Johnson's mills, 257.

Fanning, John, 135.

Farmers, 445.

Fees, Surveyors', 5. Private Bills, 121. Clerk of the Peace, 227-8-9, 232, 425-8, 433, 448, 451-3-9, 461-2-6-7. Clerk of the Crown, 422-5-8, 433. Attorneys', 260, 296. Advocates, 296. Constables', 296. Sheriffs', 425-8, 433, 459, 461-2-6-7. Courts of Judicature, 260, 332-3-7-8, 371. Quarter Sessions, 260. Court of Requests, 296. King's Bench, 459, 461. Superior Court; Court of Appeal, 464-7-8, 479.

Femmes Covert, see Real Estate.

Fences in Dundas County, 26.

Ferguson, John, 174.

Ferry at Quinze Chiens, 14.

Fiers, Daniel, 300.

Fines to be accounted for, 47-8. King's Bench, 355, 370-2, 383-5-8, 409. Account of, 434. Statement of, 435.

Fire to prevent accidents by, 9, 11-2-4. To prevent kindling near buildings and fences, 26.

Fireplaces, 281.

Firewood, 329, 409, 472.

Fish, 14.

Fisher, Alex'r, 174.

Fishery, Salmon, of the Township of York, 58-9.

Flatsell's Precedents, 158.

Fleming, Charles, 139.

Flour, (see Inspectors), Manufacture of, 431.

Forfeitures, 47-8, 434.

Forsyth, G., 472.

Forsyth, George, 104.

Fort Erie, (see Toll), To improve highway from; Canal at, 104.

Fortune, William, 70-4.

France, War against Great Britain, 21. Anarchy in, 24. Murder in, 41. Hostilities with, 417-9.

Fraser, Thomas, (Sheriff of Johnstown), x, 174, 260-4.

French, Jeremiah, x.

French principles, To prevent introduction of, 102.

Frontenac County, Petition from, 70-4.

Furniture, etc., for the House of Assembly, 182-3-7 235, 299, 300.

## G

Gaols, as to building, 9, 10-1-4-5-6-8; 25; in every district, 14-5-6-8. Newcastle, 301, 352, 432. London, 370.

Garrison, The, 472.

General Quarter Sessions of the Peace, see Courts.



Glengarry County, 255-7, 424-9, 430.  
 Goods, (see Duties, Exchange), from the United States, 261, 385. As to seizure of contraband, 352.  
 Government House, 267.  
 Government, Policy of, ix. British form of in Upper Canada, 1, 2. Seat of, xi, 57.  
 Grain, (see Toll), 31-2, 431.  
 Grand or Ouze River, 335, 360-361.  
 Grantees, see Lands.  
 Gray, Robert I. D., x, 174, 380-3.  
 Great Britain, 1, 21-2, 179, 182, 417-9, 475. Several and annual sums from, 435.  
 Grey, John, 275.  
 Griffin, John, 400.

## H

Haines, Michael, 90.  
 Hamilton, Robert, 104, 359.  
 Hardison, Benjamin, x, 153-4.  
 Harvest, 55, 123.  
 Hastings County, 259.  
 Hawkers, see Licenses.  
 Hawkesbury, Lord, 140.  
 Hay, 123.  
 Hemp, Culture of, 178, 181. Bounty on, 233-7-8-9, 240. Culture and export of, 252, 262, 276, 334, 372, 402-5-6-7-8-9, 460-1-4-6-7, 479. Board to encourage culture of, 280. Purchase and export of, institution for, 418, 423-4, 435, 447-9. Address relating to, 440-4. Relief of cultivators of, 450-1, 463. Seed, to be distributed gratis, 240, 386, 403, 445; Accounts, 421; furnished by Isaac Swayzie, 450, 465.  
 Hereditaments, see Deeds.  
 Heron, Samuel, 183, 192.  
 Highlanders, 430.  
 Highlands of Scotland, 430.  
 Highways, His Majesty's, better regulation of, 8, 10-1-2-5. Queenston to Fort Erie, 104. Highways and roads, public, (see Statute Duty or Labor), as to laying out, amending and keeping in repair, 24-5-9, 30-6-8, 42, 50, 255. To recover money for repairing, 79, 80-1-3-5. Niagara and York, 204, 211. Provincial, 208, 210-1-2, 337. Lincoln and York, 212. Principal public, 307. London and Niagara, 330-1-4. Money to repair, 386, 433-7-8, 454, 480. Certain roads, 389. King's, York to Holland River, 445. York to Lake Simcoe, (see Yonge Street), 447-9, 456.  
 Hobart, Rt. Hon. Lord, Secretary of State, 478-9.  
 Hogeboom, Nicholas, 333, 361, 370.  
 Holland's River; landing, 445.  
 Home District, division of, 56-7. Separation of Lincoln County from, 75-7. Representation of in Parliament, 297-8. Petition from, 437, 440. Assessments, 441-3. Town meetings, 441.  
 Homespun, 257.

Horses, (see Exchange. Licenses), Post, 267. To restrain from running at large, 197-9, 226, 279, 359, 361-7-8-9, 374, 384-6-8-9, 408, 442, 465-8-9, 470-9.  
 House of Assembly, First Meeting, first session, (Newark, 1792), 1. Prorogued, 18. Second session, (1793), 21. Prorogued, 43. Third session, (1794), 47. Second Meeting, second session, (York, 1798), 55. Prorogued, 93. Third session, (1799), 97. Prorogued, 124. Fourth session, (1800), 127. Prorogued, 167. Third Meeting, first session, 175. Prorogued, 245. Second session, (1802), 251. Prorogued, 318. Third session, (1803), 323. Prorogued, 410. Fourth session, (1804), 415. Prorogued, 481. House for temporary reception of, 57. Disobedience of; a Court of Record, 344.  
 Houses of Parliament, contingent expenses of, 459, accounts, 461.  
 Houses, see Debts. Real Estate.  
 Houses, Post, as to establishing, 263-6-7, 277, 291-3.  
 Houses, Public, see Licenses.  
 Hunt, Joseph, 90.  
 Hunter, Peter, Lieutenant-Governor (1799-1805), 127, 293, 392.  
 Huron Tract, 191.

## I

Imports into Lower Canada, 262.  
 India, 24.  
 Indian Affairs, Superintendent of, 105.  
 Indian Country, see Licenses.  
 Indian town, Fairfield, 206.  
 Indians, (see Arms. Liquors. Justice. Bridges), Instruction of, 207. *Re* buying from, 208, 211-3-7. Huron of Essex, 244. Six Nation, (see Bounties), *Re* land on Grand River, 335, 360-1, 370.  
 Indulgences to Quakers, Mennonists and Tunkers, as to granting, 202-9, 211-2-4.  
 Innkeepers, (see Duties), Kingston, petition from, 70-4. Persons licensed as, 336.  
 Inns of Westminster, 304.  
 Inspector General of Accounts, 262.  
 Inspectors of Produce for export, 188. Flour, pot and pearl ashes, 194-6-9, 201-2-7, 244, 255-9, 262, 334-8, 382-3, 424, 436.  
 Ireland, 179, 182, 475.

## J

Jarvis, William, Provincial Secretary, 1, 22, 50, 98, 171-3-5, 192, 234-7, 351, 441, 456-7-8.  
 Jessup, Edward, x.  
 Johnson, Sir John, 257.  
 Johnstown, see Quarter Sessions. Licenses.  
 Jones, Ephraim, x.  
 Jones, Solomon, x.

Journals of the Legislative Assembly, early, xi. *Re* printing, 91, 101, 121-2, 134-6, 235, 427-8, 443-6, 455, 479, 480. License to print, 236. Revision of, 102-4, 120. Manuscript of, 155. Proceedings struck off, 165. Lower Canadian, 100, 154.

Judges, (see Salaries), Home District Court., 70. Court of King's Bench 302.

Juries, Regulation of special, 154-7-8-9, 162-6, 342-8, 354, 408. Better defining of, 255.

Jurisprudence of Upper Canada, 332.

Jurors, Service of, 255, 260-3-4-6. Nomination of special, 264. Petition from Grand of London, 276, 283. Summoned by sheriff of Home District, 331-3-9, 340.

Jury in Court of Requests, 296.

Justice, Administration of (see Courts), Actions at Law, as to decisions of by Justices of the Peace, 7, 8, 10, 11. In the districts, 244; in Newcastle, 297, 300-1-5, 317, 432-3-5-6, 440. Restrictions to Indians, 360. *Re* money advanced for, 453-4-5-7-8, 461-3.

Justice, Burns', 158.

Justices of the Peace, see Justice, Public Officers. Vagrants.

## K

Kent County, (see Bridges), Representation of in Parliament, 142.

King's Head Beach, 90.

King's Highway, see Highways.

Kingston, Port or Town of, (see Innkeepers. Markets), arrival of Lieut-Gov. Simcoe at, ix. Merchandise shipped from, 139. Petition from, 329. Assessment of, 395. Freight and Storage, 472.

## L

Labour, Price of, 431.

Lachine, 315.

Landmarks, 118.

Lands, (see Deeds. Debts. Real Estate. Titles), Crown, 2, 18. For U. E. Loyalists, 121. Waste, rights of certain, 145-7, 166; rights of grantees of, 343-8, 353-4-5-7-8-9, 408. For schools, 66. Protestant Clergy, 104-5-6, 113-5, 123. Sale by sheriff, 225-6-7-8-9, 230-1-8, 244. Grand River, Indian; liens on, 360. Mohawk, 391.

Law, George, 7, 122, 162, 175, 243, 251, 317, 408, 471-3.

Law, Practitioners, see Licenses. Society, 112. Books, 158. Regulation of at Westminster, 304. To regulate the practice of, 306.

Laws, (see Acts), Upper Canada, 18, 158. Suitable, 42. Renewal of necessary, 98. *Re* Act regulating, 110. As to enforcing, 124. Cost of printing, 235. Warrant *re* 236. As to enacting particular, 327. To amend, 375, 426-8, 433.

Six copies bound, 404. Giving due effect to, 410. Promulgation of, 444.

For Niagara and western members, 472.

Laws, British or English, Upper Canada under, 2. To introduce 7, 9, 10-7.

Establishment of, 18. Criminal *re* introducing, 142-3-4-6, 150, 166. To purchase, 448-9. Statute Laws, 452-4.

Laws, Militia, offenders against, 224.

Laws, Revenue, see Revenue.

Leather, 257, 426.

Leech, Joshua, 400.

Legislature, Assembling of in winter, 92.

Lennox, County, 3 Member for, 304, 306.

Letters, Hon. Peter Russell, 103. Hon. Richard Cartwright, 104.

Licenses, (see Liquors, Revenue, Duties. Accounts), merchandise in Indian Country, 25. Shops or shopkeepers, 25, 89, 434. Merchandise; liquors and wines, 25. Public Houses, 49, 50, 197. Hawkers, pedlars, chapmen, 67-8, 71-3-4, 264, 273, 292-4. Shop, tavern, still, 90, 196, 236, 255, 261, 270, 299, 336, 434. Blank, 91, 149, 150. Post horses and carriages, 267, 279, 284, 294. Stage keepers, 267. Stage drivers, 271. Practitioners in Law, (see William Dickson), 281-2, 298, 309, 311-2, 332-3, 345, 365-6-8-9, 408. Advocates, 284-8-9, 293-5-6, 302-3-4-5, 310. Attorneys, 284-8-9, 293-5-6, 302-3-4-5, 310, 331. Barristers, 331.

Lieutenant-Governor, (see Speeches),

Powers of; first of Upper Canada, ix.

Lieutenant-Governors, see John Graves Simcoe. Hon. Peter Russell. Peter Hunter.

Lieutenants of Counties, 167.

Lighthouses, (see Accounts), To erect and repair, 385-7, 399, 409. To establish and maintain, 397.

Lincoln County, Separation of from Home District, 72-4-5-7-9, 82-3. Petition from, 424.

Lindsay, Mr., 241.

Linen, 257.

Liquors, (see Duties. Licenses), spirituous, To prevent retail of by small measure, 73-4-6. As to ascertaining and convicting persons who distil or sell without license, 129, 133-4. As to vending, 134-5. As to more easy conviction of persons selling without license, 137-8, 142-9, 152-5-7-9, 160; Summary Conviction of, 160-2-4-6, 181-4. To prevent sale of to Moravian Indians, 200-2-6-7-8-9, 211-3-6-7-8-9, 221-4, 244.

Liverpool, Earl of, 140.

London, District, (see Courts. Jurors. Magistrates), As to representation of in Parliament, 158. Temporary provision for, 297, 300-1. Petition from, 357. Sheriff of, 359. Condition of, 370.

Parliament, 158. Temporary provision for, 297, 300-1. Petition from, 357. Sheriff of, 359. Condition of, 370.

Lots, see Boundaries.

Lower Canada, see Canada.



Loyalty of Britons, 21. Canadians, 24, 129, 420, 478. British subjects, 41. The province, 418.

M

Macdonell, Alexander, Sheriff, 64-7, 174.  
Macdonell, Angus, Clerk of the House, 59, 93-8, 174, 204, 210, 225-6, 235.  
Macdonell, Colonel, 60, 90, 112.  
Macdonell, Hugh, Adjutant-General, x, 101-4, 163, 381, 430.  
Macdonell, John, Speaker, x, 1.  
McBeth, John, 300, 400-1, 471.  
McBride, Hannah, 89.  
McBride, John, 162.  
McCauley, James, 192.  
McCrae, Thomas, 175.  
McDonell, A., 192, 424.  
McDonell, Alex., 430.  
McDonell, Allan, 430.  
Macdonell, Angus, Clerk of the House, 7, 151, 225-6, 235. Member of Parliament, 237.  
McDonell, J., 430.  
McGill, Captain, 400.  
McGill, Hon. John, 262, 344, 441.  
McIntosh, Angus, 175.  
McIntyre, Duncan, 430.  
McIntyre, John, 430.  
McKay, John, 135.  
McKay, William, 139.  
McKee, Thomas, x, 105, 127, 175, 191, 253, 444.  
McKenzie, Duncan, 430.  
McLean, Donald, Clerk of the House, 173-5, 180-2, 191-6, 381, 401, 473-4, 481.  
McLean, Hugh, 400, 471.  
McMichael, Edward, 135.  
McMicking, Peter, 330.  
McMicking, Thomas, 139.  
McMillan, Alex., 430.  
McNab, Colin, 139, 278, 283-4.  
Mace, The, 176.  
Macomb, William, x.  
Magistrates of London, Petition from, 276, 283.  
Manufactures, 32, 258.  
Marion, Paul, 471.  
Markets, York, 61-2-3, 72-7, 264. Influence of, 77. Kingston, 190-4-7, 202, 215-8. Montreal, 257.  
Marriages, To confirm certain, and to provide for future, 30-1-3-5, 42, 272. Re Act relating to, 99, 101. Petition *re*, 119.  
Master-in-Chancery, see Salaries, David Burns.  
Matchedash Bay, 352.  
Mayer, George, xi, 318.  
Mealey, Patrick, 90.  
Measure, Winchester, 7, 8, 9, 14-8.  
Measures, Standard for, 7, 8, 9, 14-8.  
Members of the Legislative Assembly, Selection of, ix. Names of first and second assemblies of, x. First assembly, sworn in, 1. Rights and privileges, 2, 31. Nine to constitute a house, 3. Wages, *Re* payment of, 30-2-4-6-9, 282;

To alter method of paying, 105-6-9, 110-7, 381. Better payment of, 194-5-8, 391, 409. *Re* expenses, 59, 60-1-5, 84-5, 91, 376; Travelling, 103. To compel attendance of, 61, 366, 379. As to vacating seat, 109, 111-4-5-6-7. Oath to, 59, 98, 174, 191, 237. Standing rule *re*, 109. As to Registrars being elected, 118. Of Legislative Council, 167. Proclamation *re* oath to, 173. Return of names of, (1801), 174. *Re* evidence against, 193. Fines for absent, 335. Of either house attending other, Resolution *re*, 350. Absence of, 404. Present at opening of Parliament, 1804, 415. Names of to be called over, 443. Niagara, 472.  
Mennonists, see Indulgences.  
Merchandise, (see Licenses. Duty. Toll), *Re* imported, 16. Entered at Niagara, 139. Shipped from Kingston, 139.  
Messengers and Servants, 262, 329.  
Methodist Society, Petition from, 115-6-9.  
Methodists, (see Churches), Relief to, 119, 263-5-8, 270-2. Petition from, 261.  
Midland District, (see Quarter Sessions), 256.  
Mileage, see Court of Requests.  
Miles, Abner, 90.  
Militia, New Modelling of Bill *re*, 21-4. Better regulation of, 23-6-9, 30-1-5-8-9, 42. Laws, *Re* enforcing, 92. Corps, *Re* enrolment, 93. Loyalty and Zeal of, 99. Adjutant-General, 104, 163. To further regulate, 111-5-6-8, 120, 205, 211-3-4-5-9, 220-1, 244. Claimants of land for services, 121. Regiments, 167. Laws, offenders against, 244. Prince Edward County, Petition from *re*, 259. To prevent desertion from, 422-3-4-6-7-9, 438, 479.  
Millers, Petition from, 424, 431.  
Mills, (see Toll), Rivière aux Raisins, 14. Sir John Johnson's, 257. Grain, 431. Profits from, 431.  
Minutes of the House, 56.  
Missionaries, Indian, 206-7. From the United States, 265.  
Mississippi River, 99.  
Mohawk Lands, see Bridges.  
Money advanced by His Majesty made good, 298, 301-5, 317, 453-4-7-8, 461-3, 480.  
Montreal, (see Markets), 99, 100, 315, 472.  
Montreal Island, 14.  
Moravians or United Brethren, Church of, 206.  
Moravian Indians, see Liquors.  
Moravian Town, see Roads.  
Moseley, Thomas, 472.  
Motions, Rules *re*, 286. Resolution respecting, 314.  
Moulinette, see Toll.  
Munro, Cornelius, (Dundas), 174.  
Munro, Cornelius, (Glengarry), 174.  
Murchison, Duncan, 430.  
Murray, Robert, 76.



## N

Navigation, Inland, Superintendent of, 16, 139.

Navy, see Board.

Neilson, Mr., 315.

Neilson, John, 472.

Nelles, Abr'm, 175.

Nelles, Robert, 175.

Newark, (see Niagara), Meeting of Parliament at, ix, xi, 1, 21, 47.

Newcastle, (see Administration of Justice. Customs), District formed, 290-5-6, 318. Collector at, 352. Gaol and Courthouse in, 432.

Newcastle Town, 352.

New Johnstown, Fairs in, 26.

Niagara, (see Newark), xi, 267, 284, 395.

Niagara District, (see Quarter Sessions. Highways and Roads), 137-9. 256, 330. Members, 472.

Niagara, Port of, (see Merchandise. Duties), 435.

Niagara Township, Petition from, 133-5-7.

Norfolk County, Petition from, 133-5.

Northumberland County, 290.

Notaries, see Ordinance. Revenue.

## O

Oath, see Members.

Officers, Returning, 3, 26-7-8-9, 42, 98, 132-3-4-6-8, 144, 166, 174. Parish, 4, 34-6-8, 42. Public, *re* appointment of by Justices of the Peace, 8, 10-2-3-5; Election of, 12. Preventative, 9. Town, 34-6-8, 42. House of Assembly, Legislative Council, see Salaries. Names of, 162. Customs (Collectors), 284, 352. As to officer of either House attending the other, 350.

Offices, Public, (see Buildings), 435.

Ontario, Lake, (see Highways), To improve communication between and Lake Erie, 106, 110-1-3-4-5; *re* Bill for, 122, 136-9, 163.

Oppell, G. S., 206.

Ordinance concerning Advocates, Attorneys, Solicitors, and Notaries, 80-1-3-4-5, 92. Legislature of Lower Canada, 100.

Ordinances of Quebec, 154.

Ornaments for printer, 472.

Orphans and Children of parents leaving the province, As to apprenticing 104-5-7. Education and support of, 107, 114-5, 123.

Ottawa River, Petition from, 70.

Ouze River, see Grand.

Oxford, Township, 200-2.

## P

Panet, Hon. J. A., Speaker, Lower Canada, 100-1.

Papers, As to publishing, 120. Examination of, 141, 154-7.

Parchment, 457.

Parliament Buildings, Burned by United States forces, xi.

Parliament, Provincial, (see House of Assembly), Functions; first meeting, ix. First full term; first three of Up-

per Canada, xi. As to assembling in winter, 92, 124, 131. *Re* representation of the province in, 137-8, 142-3-5-6-7, 156-8-9, 160-6, 182-5. District of London; Western District, 158. Dissolved, writs for new, 171.

Pass, see Debtors.

Patriotism in Upper Canada, 1, 24.

Pawling, Benjamin, x.

Peace between Great Britain and the French Republic, 251.

Pedlars, see Licenses.

Pelham, Township, Petition from, 137-9.

Pell, Joshua, 139.

Peltries, see Toll.

Pember, Philip, 90.

Penalties, 47-8.

Penoyer, Mr., 14.

Petitions, Order respecting, 3.

Pettit, Nathaniel, x.

Philips, D., 315.

Physic, *Re* practice of, 5, 6, 48-9.

Pigs, To restrain from running at large, 197.

Pike River, Road with bridges to, 391.

Police, Demand for, 98.

Poor, as to providing for, 196-8, 202.

Population in 1792, ix. Increase of, 24, 98, 178.

Portland, Duke of, 140.

Ports of Entry, As to establishing, 269, 270-4-7-8-9, 285, 317.

Post Carriages, see Carriages.

Post Horses, see Horses.

Post Houses, see Houses.

Postage, 235, 472.

Poundage, 422-5-8, 433.

Poundkeepers, Power and duty of, 225-6, 255-6, 260-1-4-5-6, 281. To enlarge authority of, 271, 285. Amended, 383-5-7.

Prayers, Order respecting, 6.

Preachers, Methodist, Authority to, *re* marriage rites, 265.

Precedents, Flatsell's, 158.

Prince Edward County, *Re* elections in, 3. New writ issued for, 4. Member elected for, 22. Petition from, 259.

Printer, 309. King's, 419.

Printing, Waters and Symons for, 401.

Privileges of the House, *Re* standing, 58.

Infringement of, 120, 159, 349, 350.

Derogation from, 165. Called for, 279.

*Re* questions, 289. Report on, 344.

Proceedings of the House, As to Copying, 138.

Proceedings, summary, To abolish, 14-5-7.

Proclamation, Royal, 171.

Proclamations, 172-3, 249, 250, 413-4.

Produce, 124, 257.

Professional men, want of, 186.

Property, (see Debtors), Real and personal, Repairing highways chargeable on real, 80-1-3. Assessments and rates, 393-6, 409, 418, 441. Valuations, 396, 441. Return of ratable, 418. Laws to protect, 420. Title to landed, 476.

Province, The, (see Upper Canada. Par-

liament), Division of, ix. Situation of; prosperity, 124. To protect, 203-6-8, 243, 417, 454, 460. Parts difficult of access, 418. To preserve tranquility, 479.

Provisional Agreement, see Duties.

## Q

Quakers (see Indulgences), 4.

Quarter Sessions of the Peace, see Courts.

Quebec, Province, Division of, ix, 18. *Re* Government of, 4, 7, 9, 10-7. Ordinances of, 43, 154. Statutes of, 154.

Queenston, Town, (see Duties), To improve highway from, 104.

Questions, Orders respecting, 3. Rules, 286, 311. Privilege *re*, 289. As to declining to answer, 347. Mode of determining *re* contraband articles; Mode of ascertaining as to legality of, Seizures of same, 352. Motion to dispense with rule *re*, 399.

Quinte, Bay of, road through Mohawk lands, on, 391.

Quinze Chiens, Ferry, 14.

## R

Raisin, River, (Rivière aux Raisins), Petition from, 12-3-4.

Rams, (see Sheep), To restrain from running at large, 424, 435-6-7-8-9, 440, 470-9.

Rates, County, etc., on real and personal property, 25, 36, 388. Laying and collecting, 25, 34-6-9, 40-2, 51, 109, 110-7. More uniform laying of, 161-2-6. To augment, 440. To Receiver General, 291-2-8, 317.

Real Estate, see Estate.

Receiver General, (see Accounts. Rates. Peter Russell), 41, 275, 280-2-7, 291-2, 434.

Records, Documents, etc., Examination of, 141. Preservation, 182-3, 316, 417, 420, 445-6-7.

Registrar, Office of, 117-8, 123.

Returning Officers, see Officers

Revenue, Provincial or Public, (see Accounts. Duties), As to raising, (see Bills), 7, 8, 9, 23-5. *Re* increasing, 48, 89; at Coteau-du-Lac, 178. Consideration of, etc., 49, 50-1, 63-5, 88, 119, 120-9, 135, 147-9, 150, 161-2-3, 336, 420, 434. Collection relating to notaries, 80-1, 92. Method of collecting, 351. Licenses, 91; Tavern, shop and still, 89, 149, 152-5-7-9, 234. To account for more regularly, 89. Singular application of, 103. Surplus for war, 122-3, 151. Improvement of, 178. Internal, 178. From both provinces, 181. Collector, 304, 351. Merchandise, 326-8. Laws, Amendment of, 330-1-2-3-6; resolutions *re*, 351-3. Payment of, 352. Inspector of, 351-2. Appropriation of, 399. Expenditure of, 405. Lower Canada, 439.

Rideau, County, name changed, 84.

Ridout, Thomas, 88, 192. Reprimanded, 350.

Roads, (see Highways. Statute Labor. Bridges), state of and improvement, 57, 256, 260, 420. Public, 124, 229, 230-2-3, 284, 290-3-7, 308, 312-3, 384, 391, 418. To York, 92. To the Capital (York) 129, 131. To Eastern Settlements, 124. Lincoln and York Counties, 214. York to head of Lake Ontario; Delaware to Moravian Town; Thames to River Pike; Bay of Quinté, Mohawk Lands; York to River Trent. Dundas Street, 391. York to Lake Simcoe, 447, 467. Yonge Street, 456, 461-2-9, 470. As to opening and bridging certain, 391. Money to open and repair, 392-9, 402-3-4-5. New, 418, 437-8, 442, 454, 480. Grant for, 437-8.

Robinson, Christopher, x. Death of, 97.

Robinson, John, 90.

Rogers, David McGregor, x, 174, 424.

Royal Assent, see Acts.

Rules of the House and regulations, 57, 263, 274-6, 289, 303-4, 330, 399, 425, 451-5-6, 461-8. *Re* members, 59. Clearing the House, 181. Elections, 183-5-6. Revised; New, 285. Distributed, 287. Additional, 288. Standing, 58, 60. *Re* members, 109. Revised, 141. Great Britain, 288. Resolutions, 344, 350.

Rum, Sale of to Indians, (see Liquors), 202.

Russell, Hon. Peter, Administrator, 1796-1799, Provincial Treasurer, 57, 66, 70, 101-3, 187, 261, 271-5, 280-2, 434.

Ryers, Samuel, 135.

Ryerson, Joseph, 359, 370.

## S

St. Ann's, 14.

St. Lawrence River, 14.

Salaries:

Officers of the House or Legislative Assembly, sums to be paid to, 5. *Re* fund to pay, 26, 32-7-8-9, 40-2. Loan to pay, 41. Sums due to, 161-3, 235. Resolutions and votes, *re*, 164-5, 234. As to appropriations for, 189. As to paying from provincial funds, 224-8, 244. *Re* payment of, 262. Sergeant at arms, 5, 122, 163, 235. Officers of the Legislative Council, *Re* fund to pay, 26, 32-7-8-9, 40-2. Loan to pay, 41. Sums due to, 161-2-3, 235. Resolutions and votes *re*, 164-5, 234. As to appropriations for, 189. As to paying from provincial funds, 224-8, 244. *Re* payment of, 262. Members of the House of Assembly, *Re* wages to, 34-9, 40, 105-6-8-9, 375-9, 391-2-3-5, 357-9. As to better payment of, 391-2-3-5. Speaker, 41. Clerk of the House, 5, 210, 235. Commissioners to Lower Canada, 224-8, 235, 244. Black Rod, 122, 163, 235. Master in Chancery, 235. Chaplain, 163, 235. Doorkeeper, 163, 235. Copy-



- ing Clerks, 235, 310. Gaoler, 257.  
 Sheriff, 264, 306, 370. Judges, 278-9.  
 Adjutant-General of Militia, Arrears due late, 312.
- Salmon, Preservation of, 59, 60-2, 111-5-7-8.
- Sandwich, Town of, 352, 395.
- Sandwich, Township of, *Re* division of and regulation of by-laws, 184-8-9, 190, 213-4-5.
- Schools, *Re* establishment of Grammar, 66-7-9, 80-5. Want of; As to erection of by public authority; *re* establishment of in every district, 430. Public schools, To provide for in certain parts of the province, 431-2; *re* fund to support, 436-8. Indian agricultural schools, 207.
- Scotland, Highlands of, 430.
- Scott, Sir William, 140.
- Secord, David, 432.
- Secord, Stephen, 432.
- Secretary, Provincial, see William Jarvis.
- Sedition, see Province.
- Sergeant at Arms, (see Salaries), sworn in, 7. Commission to, 88. Sword for, 163. Suspension of, 343-4. Temporary, 343. Breach of privilege of, 349. Reprimanded; Ordered to resume station in House, 350.
- Settlements, Eastern, see Roads.
- Settlers, French, 23.
- Sheehan, W. B., Sheriff of the Home District, Misconduct of, 31.
- Sheep, (see Rams. Strays. Exchange), As to restraining from running at large, 197-9, 226, 359, 440.
- Sheriff, see Jurors. Alexander Macdonell. W. B. Sheehan, James Clark. Thomas Fraser. Joseph Ryerson.
- Sherwood, Samuel, Member of Parliament, 174, 462.
- Shopkeepers, (see Licenses. Duties), List of persons licensed as, 336.
- Shops, see Licenses.
- Simcoe, County, (see Elections), Petition from, 179, 183-6. Representative of, 237. United to the County of York, 299.
- Simcoe, Lake, *Re* roads leading to, 447.
- Simcoe, John Graves, Lieutenant-Governor, (1792-1796), (see Speeches), ix, 2, 24-6.
- Simons, Titus G., Printer, 119, 192.
- Skinner, Haggai, 139.
- Slavery, Abolition of, 42.
- Slaves, *Re* introduction and servitude of, 32-3-5-6-8, 42. *Re* offspring of, 43. As to immigrants bringing negro, 64-7-9, 70-1-4.
- Small, John, Commissioner to administer oath to members, 173-5. Summoned as a witness, 192.
- Smith, Hon. David William, Member of Parliament, x, 175. Speaker of the House of Assembly, 98, 176-7, 300, 377. Acting Surveyor General, 121. Absent from the country, 127, 323, 444. Commissioner, 445.
- Smith, Thomas, x.
- Smith, William, 471.
- Smuggling, To prevent, 6, 10.
- Societies, Methodist, 265.
- Society, Law, 112-3.
- Soldiers, Desertion of, See Militia.
- Solicitor-General, 70.
- Solicitors, see Ordinance.
- Speaker, (see John Macdonell. Hon. D. W. Smith. Samuel Street. Richard Beasley). Election of, 1, 127-8, 176. Presented, 2, 177, 323. Order respecting, 3. *Re* salary, 41. Absence of, 127, 323.
- Speaker of the House of Assembly, Lower Canada, 100.
- Speeches, (see Addresses), Lieutenant-Governor's, (Simcoe), 1, 18, 21, 42-7. Reply to, 2, 24, 48. (Russell), 55, 92-8. Reply to, 57, 101. (Hunter), 128, 166, 178, 245, 251, 317, 326, 409, 417, 480. Reply to, 130, 180, 253, 328, 419.
- Spencer, Earl, 140.
- Spencer Hazelton, x.
- Spenser, Robert, 139.
- Spirits, Distilled, see Duties.
- Stage Route, As to limiting, 267.
- Stagekeeper, (see Licenses. Post Houses), As to defining boundaries of stage route of, 267.
- Stamford, Township of, Petition from, 139.
- Standard, Royal British, 265.
- Stationery, To be imported from England, 17. For House, 158, 316, 386, 401-2-5, 471-2-3-4. Appropriation for, 241-2-3. Accounts for, 241, 400. Cash voted for, 401. Freight on from Montreal to Kingston, 472.
- Statute Duty or Labor, *Re* method of performing, 68, 72-3-4-8-9, 80-2, 92. In the Huron Tract in Essex, 191-5-9, 207, 244. On roads and highways, 269, 271-3-4, 282-4-5. Not performed by Indians, 313. As to aiding on certain roads, 391.
- Statutes of Upper Canada, (see Laws), xi. Printing of, 101, 121, 425-7-8-9, 443, 480. Repeal of, 308. As to passing new, 327. Six copies applied for, 419. To promulgate, 446-7, 455, 479. Lower Canada, 100, 133. Quebec, 154. British, 158.
- Stedman, Philip, 361.
- Steel, Mr., 140.
- Still, (see Duties. Licenses), not licensed, 236. Article regarding to be expunged from Bill, 281. Persons licensed to work, 336.
- Stores, see Toll.
- Stormont, County, 13.
- Stove for use of House, 401.
- Strays, (see Cattle), Act respecting, 200.
- Street, Samuel, Member of Parliament, x. Elected speaker, 128.
- Streets, see Dundas. Toronto. Yonge.
- Strower, John, 90.
- Stuart, Rev. John, Chaplain, 162.
- Sugar, 257.
- Summary Conviction, see Liquors.



Supplies to discharge public debts, 5, 6.  
 For public service, 154.  
 Surgery, *Re* practice of, 49.  
 Surveyors, Fees and jurisdiction, To better regulate, 5, 6, 7.  
 Sutherland, Walter, J. P., 430.  
 Swayzie, Isaac, Member of Parliament, x. 175. *Re* balance due on hemp seed, 445, 450-2-9, 461-4-5, 475.  
 Swine, As to ranging, 12, 199, 226, 256-9, 359.  
 Swords for bearer of the Black rod and the Sergeant at Arms, 163.  
 Symons, for printing, 401.

## T

Taverns, see Licenses.  
 Taxation, As to altering present mode of, 331.  
 Taxes, light and easy, 328. *Re* collection of, 351.  
 Tenbroeck, John, 138.  
 Tenements, (see Lands. Deeds), sale by sheriff, 225-6-7-8-9, 230-1-8, 244.  
 Terry, Parshall, x.  
 Thames River, (see Fairfield), *Re* boundaries of lots on, 184. As to selling liquors to Indians on, 200-2-9. As to side lines of townships on, 228. Road with bridges from the mouth of, 391.  
 Thompson, Archibald, 139.  
 Thompson, Samuel, 13-5, 135.  
 Thompson, Timothy, x, 174.  
 Thurlow, Township, road with bridges, 391.  
 Tiffany, Gideon, 58.  
 Tiffany, Mr., 91.  
 Tiffany, Sylvester, 118, 121, 163.  
 Titles to lands, As to securing, 106-8, 110, 123. As to better ascertaining and securing, 263, 271, 281, 299, 317.  
 Toll, (see Grain), Moulinette, 106-7-9. On merchandise, peltries and stores, 104. In mills, 9, 11-2-3-5-6-7, 29, 30-1, 431. As to bolting grain ground for, 31-2-3. At Fort Erie, 104.  
 Toronto, Town of, (see York), xi. As to restoring name to town, township and county, 421, 432.  
 Toronto Street, Petition from, 445.  
 Town Meetings, As to authorizing, 4-6-7, 27-9. In Home District, 441.  
 Townships, (see Boundaries), Population increasing; As to more orderly Government of, 98. *Re* side lines on the Thames, 228.  
 Trade, contraband, 9. As to regulation of between Upper Canada and the United States, 132-6-9, 140-2-4, 166. Between Upper and Lower Canada, 178, 180. With Indians, 217. Export, 409.  
 Translation of Acts, French, 23.  
 Translator, French, 23.  
 Transport to Lower Province, Mode of, 409.  
 Treasurer, Provincial, (see Peter Russell), Moneys due to, 108-9, Petition of, 275. District, 376.

Treaty of Peace, Definitive, 326-8.  
 Tredell, Abraham, 175.  
 Trespass, Actions of, 428.  
 Trials by Jury, To establish, 4-5-6-7-8, 14-7-8.  
 Tumblers, 401.  
 Tunkers, see Indulgences.

## U

United Empire Loyalists in Upper Canada, ix. *Re* claims for land, 121. Religious rights, 265.  
 United States, (see Trade. Duties. Commerce), commercial intercourse between Canada and, 55. Market for flour in, 431.  
 University, As to establishing in Upper Canada, 66.  
 Upper Canada, see Canada. Province.  
 Usher of the Black Rod, 162. Sword for, 163.  
 Utensils, Cooking, see Arms.

## V

Vagrants, As to Justices of the Peace holding to bail, 422-8-9. As to committing to jail, 429, 435-7.  
 Vanalstine, Peter, Member for Prince Edward and Adolphustown, x. Elected, 22. Takes seat in House, 23.  
 Vessels from the United States, registering of, 55. As to reporting after arrival, 352.

## W

War, (see France), Revolutionary, ix. Under Cornwallis, 22. In Europe, 122. Maintained by the Mother Country, Address on, 123-4. In England, 151. Money to be applied toward, 164. As to termination of, 419.  
 Ward, Thomas, Petition *re* practice of law, 107, 110-2. Summoned to appear at the Bar of the House, 192.  
 Wares, 261.  
 Warrants *re* salaries, 236-7. *re* David Burns, 344.  
 Washburn, Ebenezer, Member of Parliament, 174, 357, 462.  
 Waste lands, Rights of grantees, 348. 353-4-5-7-8-9.  
 Waters, Strong, see Liquors. For printing, 401.  
 Waters, William, 119, 121.  
 Weager, Jacob, 174, 278, 462.  
 Weeds, As to destroying certain noxious, 26-8-9, 31.  
 Weights, Standard for, 7, 8, 9, 14-8.  
 Welsh, Thos., 175.  
 Western District, (see Statute Labor. Licenses. Grain. Bridges. French Settlers), *Re* Toll, 31-2-3. Representation of in Parliament, 158.  
 Westminster, Regulation of law at, 304.  
 Wheat, Markets for, 431.  
 White, John, x.  
 Wilcocks, Charles, Sergeant at Arms,

343. Warrant to *re* David Burns, 344-5. *Re* warrant, 345. Commanded to liberate David Burns, 351.

Wilcocks, Charles, copying clerk, 315, 381.

Wilkinson, Richard, x.

Willoughby Township, Petition from, 133-5.

Wills, Public registering of, 62-3-4-5-6, 77-8, 82.

Wilson, Benjamin, 135.

Wilson, Richard, 90.

Winchester measure, see Measures.

Wines, see Licenses. Duties.

Witnesses, As to compelling attendance of, 30-1-2. As to giving evidence, 193.

Wolves, *Re* destroying, 5-6-8, 11, 28, 30-1-2-4, 42, 104-5, 334-5, 343, 408. Bounty on in Western District, 331-2-3.

Women, married, see Real Estate.

Wood, Mr., (see Stationery), 401.

Wool, 257.

Wright, Ed., 90.

Writ of *Capias* served contrary to privilege, 31.

Writ of *Dedimus Potestatem*, (Writ or Commission given to one or more private persons, for speeding some act

appertaining to a judge, or to some court), 98, 191, 237.

## Y.

Yarn, 257.

Yonge Street Highway or road, To be put and kept in repair, 359. As to mending, 362, 370, 447, 461. Petition from landholders adjoining, 445. *Re* grantees of land on, 459.

York (Toronto) Town of, (see Market), Meeting of Parliament at, xi, 55, 97, 127, 415. Capital of Upper Canada, 56. As to being the capital of a district, 56-7. *Re* magistrates of, 77. Population, 98. Roads to, 129. Roads from, 391, 445-7. To be inserted in a Bill, 395. As to changing name of, 421, 432. Freight from, 472.

York, County of, (see Elections. Highways). Petition *re* preservation of salmon, 107, 111-9. Petition *re* election of Henry Allcock, 179, 183-6, 192-3-4. *Re* elections in, 237. Petition from, 260, 424. Petition *re* representation in Parliament, 299. Population, Increase of, 98.

Young, Michel, 206.

## ERRATA.

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- Page 28, 4th line from foot, instead of: the first time, read: Read the first time.
- Page 30, 13th line from top, instead of: being read the second time, read: being read, Read the second time. In 5th line from foot of same page, instead of: being read as engrossed, read: being read, Read as engrossed.
- Page 32, 3rd line from top, instead of: The first time, read: Read the first time. In fifth line from foot of same page, instead of: being read the second time, read: being read, Read the second time. Similarly in line 7 from top and line 6 from foot of page 34; and in line 9 from top of page 35.
- Page 73, line 11, foot, instead of: Bequests, read: Requests.
- Page 162, line 18, top, instead of: Provisional, read: Provincial.
- Page 166, line 19, top, instead of: Jurors, read: Juries.
- Page 188, line 16, top, instead of : Inkeepers, read: Innkeepers.
- Page 192, line 13, top, instead of: Simcose, read: Simcoe.
- Page 237, line 16, foot, instead of: Statue, read: Statute.
- Page 339, line 11, foot, instead of: House District, read: Home District.
- Page 370, line 12, foot, instead of: goal, read: gaol.
- Page 432, line 20, top, instead of: D. M. T. Rogers, read D. McG. Rogers.



